RAMBLING RECOLLECTIONS OF AN OLD REPORTER p. 619
LAWYERS ON HOLIDAY .. .. p. 620

The Solicitors' Journal

[REGISTERED AS A NEWSPAPER.]

VOL. LXXIV. No. 38 [PAGES 617 TO 630]. **Saturday, September 20, 1930.** PRICE 1s.

MEMORANDUMS AND ARTICLES OF ASSOCIATION.
(To accord with The Companies Act, 1929.)
FORM A—For Large Public Companies, 3s 6d.
FORM B—For Small Public Companies, 2s. 6d.
FORM C—For Large Private Companies, 3s. 6d.
FORM D—For Small Private Companies, 2s. 6d.
The above draft forms are drawn, settled and revised from time to time by eminent Company Counsel. The printing charges are calculated on a reduced scale if any one of these Forms is adopted and the printing entrusted to
JORDAN & SONS, LIMITED
Company Registration Agents,
116-118 Chancery Lane, London, W.C.2.
City Branch—13, Broad Street Place, E.C.2.

COINS & MEDALS
COLLECTIONS OR SINGLE SPECIMENS BOUGHT AND SOLD.
VALUATIONS MADE.
A. H. BALDWIN & SONS, LTD.
Coin Dept.: 3, ROBERT STREET, ADELPHI, W.C.2. Temple Bar 1611.
Medal Dept.: DUNCANNON ST., W.C.2. Gerr. 7717.

Established 1836. Telephone: Holborn 0273.
GENERAL REVERSIONARY AND INVESTMENT CO.
Assets £1,000,000.
Reversions and Life Interests Purchased or Loans Granted thereon.
Apply to the ACTUARY, 59, CAREY STREET, W.C.2.

WILLIAM J. WILLIS
(A.M.I.M.E., F.C.S., M.I.S.I.)
Consulting Engineer and Valuer.
Staff of Specialists for Valuations of—
COLLIERIES, COKE OVEN AND BYE-PRODUCT PLANT, MINES, QUARRIES, CRUSHING PLANT, KILNS, IRON AND STEEL AND ENGINEERING WORKS.
Branches:
CARNFORTH, LANCASHIRE. Tel. 43 CARNFORTH
Martin's Bank Chambers, Lancaster. ,, 638 LANCASTER
County Hall, Beverley, Yorkshire. ,, 281 BEVERLEY

SPEECH AND VOICE.
Mr. CHARLES SEYMOUR gives PRIVATE LESSONS in EXTEMPORE SPEAKING (forensic, political, after-dinner), fluency, retention of ideas, elocution, audibility.
Also in VOICE PRODUCTION, Modulation, Breathing, Reading, Reciting, Phonetics.
DISTINCT ARTICULATION, correction of Speech-Defects, and overcoming Nervousness.
Thirty-page Prospectus forwarded.
461, STRAND (Lumley Court), W.C.2. (opp. Hotel Cecil).
TEMPLE BAR 2697.

FIXED INCOMES.—HOMES FURNISHED on an equitable system of DEFERRED PAYMENT, specially adapted for those with fixed incomes who do not wish to disturb investments. The largest stock in the world to select from. All goods delivered free by Maple's own Motor Service direct to customers' residences in thirty-six counties.—Write for particulars to MAPLE and CO., Tottenham Court-road, London, W.1.

For
ADMINISTRATION
RECEIVERSHIP } BONDS
CUSTOMS
FIDELITY GUARANTEE
THE
OCEAN
ACCIDENT & GUARANTEE CORPORATION LIMITED,
36-44, MOORGATE, LONDON, E.C.2.
Indemnities re:
LOST DOCUMENTS, MISSING BENEFICIARIES, DEFECTS IN TITLE, FORGED TRANSFERS.
Other classes of business transacted, e.g.,
Accident, Burglary, Employers' Liability, Fire, Motor, &c., &c.

PATENTS, DESIGNS AND TRADE MARKS.
WHEATLEY & MACKENZIE
Consulting Engineers & Patent Agents,
40, CHANCERY LANE, LONDON, W.C.2.
Principal: MR. S. PERCIVAL. Established 1883.

ESTABLISHED 1782
THE
PHŒNIX
ASSURANCE COMPANY, LTD.
issues
BONDS to the COURTS
on behalf of
ADMINISTRATORS, RECEIVERS IN CHANCERY, TRUSTEES IN BANKRUPTCY, and under DEEDS OF ARRANGEMENT.
Every facility for granting cover in respect of Fire and other risks is offered by the "PHŒNIX."
APPLICATIONS FOR AGENCIES INVITED.
The "PHŒNIX" for ALL CLASSES OF INSURANCE.
Head Office:
PHŒNIX HOUSE, KING WILLIAM STREET, LONDON, E.C.4.
Law Courts Branch:
187, FLEET STREET, E.C.4.

THE
GUARANTEE
SOCIETY LIMITED
for
Administration Bonds
ON FAVOURABLE TERMS
OBLIGATION TO PRIVATE SURETIES AVOIDED.
Head Office: 19, BIRCHIN LANE, LONDON, E.C.3.
Telephones: Mansion House 8613-4.
BRANCHES IN ALL PRINCIPAL TOWNS.
COURT BONDS and INDEMNITIES GENERALLY.

UNIVERSITY OF LONDON
JUN 1964
LIBRARY

COMPLETE PRACTICAL
INCOME TAX
By A. G. McBAIN.
5th LARGE EDITION. JUST PUBLISHED.
7/6 net. 8/- post free.
GEE & CO. (PUBLISHERS) LIMITED,
6, Kirby Street, Hatton Garden, E.C.2.

THE NEW CATALOGUE
OF PROFESSIONAL AND BUSINESS BOOKS
will be forwarded post free on request.

The works of all publishers on these specialised subjects may be inspected in comfort at
The CITY LIBRARY
41 MOORGATE 41
LONDON, E.C.2.

"TAXATION"
Edited by RONALD STAPLES
Is INDISPENSABLE to PRACTITIONERS
WHO DEAL WITH
INCOME TAX
DEATH DUTIES
LOCAL RATING
Send for a Specimen Copy (7d. post free)
and PROVE THIS ASSERTION.
PRICE 6d. WEEKLY
Of all Newsagents.

Printed and Published for the Proprietors by Messrs. GEE & CO. (Publishers) Ltd., 6, Kirby Street, E.C.1.

THIRTY-SEVENTH EDITION.
HANDBOOK
On the Formation, Management and Winding Up of
JOINT STOCK COMPANIES
(GORE-BROWNE)
By His Honour JUDGE HAYDON, M.A., K.C., and HERBERT W. JORDAN.
20s. net, by post 21s.
The Companies Act, 1929, has necessitated an extensive revision of this standard work, the first edition of which appeared in 1866. The text has been largely re-written, and the edition now issued maintains the great reputation of this well-known book.
"It ought to be in every Solicitor's Office."—*Law Quarterly Review.*

NINTH EDITION.
THE COMPANIES ACT, 1929.
With Explanatory Notes and References to Decided Cases.
BY
D. G. HEMMANT, of the Inner Temple, Barrister-at-Law.
15s. net, by post 16s.
This work on the Companies Act, 1929, has for its foundation the eight preceding editions of Mr. Hemmant's book annotating the principal Act and the amending legislation governing Companies prior to their consolidation and amendment in the Act now annotated. The book, although a first issue dealing with the new Act, is a mature work.
This new edition contains all the Rules and Orders under the Act issued to the present date.
"The annotating has been well done, and the whole forms a concise and clear guide to the Statute."—*Law Times.*

SEVENTEENTH EDITION.
COMPANY LAW AND PRACTICE
AN ALPHABETICAL GUIDE THERETO.
BY
HERBERT W. JORDAN, Company Registration Agent, and STANLEY BORRIE, Solicitor.
10s. net, by post 10s. 9d.
This well-known book has been thoroughly revised, and states in clear and definite language the requirements of The Companies Act, 1929, together with the provisions of The Stamp Act, 1891, which affect Companies, and the current practice of the Registrar of Companies and of the Commissioners of Inland Revenue in relation to Companies. Wherever statements are made for which there is judicial authority the relevant cases are cited.
The text of The Companies Act, 1929, is included in an Appendix, with a Comparative Table of Sections showing whence the Sections of the present Act are derived.
"Furnishes the practitioner with just the ready and exact information he requires for advising on Company matters."—*Solicitors' Journal.*

JORDAN & SONS, LIMITED,
Company Registration Agents,
116 to 118, CHANCERY LANE, LONDON, W.C.2.
City Branch: BROAD STREET PLACE, E.C.2.

The Solicitors' Journal

(ESTABLISHED 1857.)

*** Notices to Subscribers and Contributors will be found on page iii.

VOL. LXXIV. **Saturday, September 20, 1930.** No. 38

Current Topics: Compelling a Halt—Magistrates and the Law—A Gilbertian Situation—De-rating Appeals—A Christening Mistake .. 617
Criminal Law and Practice 618
Appearance by Guardian ad litem .. 619
Rambling Recollections of an Old Reporter.—I 619
Lawyers on Holiday 620
A Conveyancer's Diary 621
Landlord and Tenant Notebook .. 622
Our County Court Letter 623
Practice Notes 623
Correspondence 624
Alice in Police Court Land 624
Legal Fictions 625
In Lighter Vein 626
The Conveyancer's Lament 626
Points in Practice 627
Obituary 628
Notes of Cases—
Weatherhead (Bradford Revenue Officer) *v.* Bradford Assessment Committee and Laycock, Son & Co. Limited 628
Pickin *v.* Langbaurgh Assessment Committee; Lofthouse *v.* the Same 629
Societies 629
Legal Notes and News 629
Stock Exchange Prices of certain Trustee Securities 630

Current Topics.

Compelling a Halt.

IT WOULD appear that on the continent, instead of posting a police officer in the middle of the roadway where he may quite easily be "run down," the method adopted is to let him signal from a place of safety; if the signal is ignored a revolver will be used against the *tyres* of the offending motor-car. Apropos of this a story is told of a contraband-runner which seemed to possess a charmed life, but which on being captured at length was found to have its *solid* tyres riddled with bullets! There would appear also to be a systematic hold-up in country districts of all motor cars found upon the roads between midnight and 6 a.m., the authorities considering that midnight is quite late enough for the genuine tourist to have arrived at an appropriate stopping-place. It is suggested that the adoption of a similar plan in England would have the double beneficial effect of making the way harder for the professional motor bandit and of giving peaceful citizens a better chance of undisturbed sleep.

Magistrates and the Law.

RECENTLY THE *Manchester Evening News* published the views of a prominent Manchester barrister on the position of lay magistrates. He is quoted as saying that: "If lay magistrates were abolished entirely as individual magistrates, and were simply appointed as deputies to stipendiary magistrates, who had control of the judicial administration of an area, it would be in the interests of a better administration of justice in this country." The matter arose out of a criticism of Lord HEWART, the Lord Chief Justice, who, referring to lay magistrates, was recently driven to protest that: "Some day we will have a state of affairs in which people who administer the law will require to know something about it." There is, of course, much to be said on both sides of the question. Barristers and solicitors who have occasion to appear frequently before lay magistrates will readily recall instances when the almost incredible ignorance of magisterial law of the bench on quite simple points of evidence and procedure makes the proper conduct of a case absolutely hopeless. The majority of lay magistrates, it should be remembered, are drawn from the successful tradesmen class, whose initial experience of law may be confined to the hearing of a few cases of local interest. It is not to be expected, therefore, that the little experience of law and practice they thus gain will make them competent to deal adequately with difficult questions. On the other hand, for those who take their responsibilities seriously, a little reference to the proper treatises would rapidly familiarise them with a sound working knowledge of the whole procedure. It certainly does seem an absurd state of affairs that anyone clothed with authority to administer justice should be practically untutored in its elementary legal principles. Compulsory attendance at legal lectures for a reasonable period should be required of every person before taking a seat on the bench. An astonishing amount of legal work is conducted by lay magistrates who form an important link in the chain of our legal system. The strength of the chain is that of its weakest link, in just the same way that the speed of an army is that of its slowest unit. There is much to be said for "Manchester Barrister's" suggestion that lay magistrates should be simply appointed as deputies to stipendiary magistrates. That proposition would necessarily involve the appointment of a great many stipendiary magistrates—one at least in every county borough—and that again would mean considerable additional expense which would undoubtedly in some measure be reflected in extra costs. The subject has many difficulties, but they are not insuperable. The essence of the matter is the vital necessity for a reasonable and practical degree of legal training before complete control of a court may be assumed.

A Gilbertian Situation.

THE TAXATION exemption of charitable institutions gives rise to some amusing situations, and it would seem that the time has arrived when the practice should be given a more modern foundation than the statutes of Elizabeth. By the granting of exemption to income tax the State, in effect, subsidises the activities of these bodies at the expense of the rest of the tax-paying community. Thus we find the Roman Catholic indirectly contributing to the furtherance of the Salvation Army and the Salvationist swelling the coffers of the Roman Church. Under the present system the person who has spent his life for the anti-vivisection movement must contribute to the very societies and organisations which are formed to carry on research through experiments on animals and ardent stag hunters must subsidise bodies which exist for the sole object of bringing about the abolition of their sport. We find brewers and publicans contributing to the furtherance of total abstinence and, doubtless, members of the Blue Ribbon Army helping to support the Froth Blowers' Union; the British carpenter contributing to the Eton and University education of the foreign prince; and the millionaire making a further payment towards the clothing of the offspring who live on the dole which he, and others, provide for the parents. All this is quite amusing—on paper—but it is likely that, if the taxpaying community realised the position, the Revenue authorities would find tax collecting a less agreeable task than it is at present.

De-rating Appeals.

WE ARE reliably informed that all the de-rating cases referred to in the article in our issue of the 26th July, in which the revenue officers were unsuccessful, are being taken by the Treasury to the House of Lords, except the two cases relating

to scrap metal yards. The occupiers of such yards where old metal is sorted and machinery is used to break up and bundle it for sale, whose premises are not already on the special list, may, it seems, now safely make "proposals for amendment" to get the benefit of de-rating. Bakers, motor repairers, and the occupiers of the various other classes of factories or workshops mentioned in the article in question must, however, possess their souls in patience till, at the earliest, we imagine, November next, possibly till the early part of next year. The question of the de-rating of the parts of bespoke tailors' premises in which clothes are made and the customers fitted has not yet been before the Court of Appeal, the decision in the one reported case which has been before the Divisional Court having been adverse to the tailor. In a recent case, heard at Taunton, the decision of the Quarter Sessions Committee was in favour of the tailor. The Treasury is naturally appealing in this case also, and we understand the respondent is being supported by the Federation of Merchant Tailors, who will be prepared to carry the case at least to the Court of Appeal. It is possible, however, that the Divisional Court will, in applying the principles laid down by the Court of Appeal as to the construction of the words "primarily used as a retail shop," feel bound to differ from the earlier decision of the same court in the like case and give judgment in the favour of the tailor.

A Christening Mistake.

A NEWSPAPER gives an account of the difficulties of a certain comedian in respect of the christening of his baby daughter. The name selected by the godmother and approved by the mother (we should rather like to comment on the choice, but it is perhaps hardly within our scope) was, according to the paper, "Salyann." When the father went to register the baby, the registrar, good simple man, wrote down "Sally Anne," and the actor failed to correct him. So soon as his wife saw the certificate, however, she gave her opinion of the matter, and it was then decided to try to obtain correction of the register. According to the father's account, he wrote to the registrar about the mistake, and called on him, but though the official was "very nice," he stated that no alteration could be made. The father proceeded to consult the Registrar-General and "went fully into the matter, but without avail." Finally he came to the conclusion that "it seems it would take years to alter what I had done in a few minutes," so he accepted the suggestion that the baby should thenceforth be "Salyann, known as Sally Anne" to prevent legal difficulties. We can only observe that this story of formidable difficulty, heightened by the ineffective interview with the Registrar-General, leaves us extremely puzzled. The rules for the correction of errors in completed entries of births in a registrar's book will be found in Part XII of the "Registration (Births, Stillbirths, Deaths, and Marriages) Consolidated Regulations, 1927." Rule 103 deals with a "Class I clerical error," including minor mistakes, such as adding one or two superfluous letters. If applied the child might become Saly Ann, but perhaps this would not satisfy the parents, who prefer, in LEWIS CARROLL'S phrase, "a portmanteau word." The error, however, remains a clerical error rather than one of fact or substance, and the procedure is indicated in r. 104. The registrar is thus required to inform the Registrar-General and to "comply with any particular instruction which he may give for the purpose of verifying the facts of the case, or of ascertaining an informant who will be available to witness a correction." With mother, father, and godmother all available to testify to the mistake, and, presumably, the correct entry having been made in the parish register, the conclusion that the error would take years to rectify seems hardly believable. We of course unhesitatingly reject the alternative, that the registrar has deliberately conspired with the Registrar-General to prevent the helpless infant being given such a name as those responsible have chosen for it.

Criminal Law and Practice.

PRISON OR INSTITUTION ?—At the Central Criminal Court last week a girl of sixteen was found guilty of a number of offences of arson. The jury strongly recommended her to mercy on the ground that she did not realise the seriousness of what she was doing; and they also asked the judge to be merciful on account of her youth and to send her to an institution so that the stigma of prison should not be upon her.

In passing, we would point out that the jury, like most people, supported the theory that stigma results from punishment rather than from guilt, so that expiation aggravates instead of alleviating the situation of the offender.

Mr. Justice FINLAY said that he would consider the recommendation of the jury carefully. He had been informed that the governor and medical officer of the prison wished to consider the defendant's mental condition, and that certainly ought to be done. He passed sentence of nine months' imprisonment in the second division, knowing that the girl's mental condition would be the subject of patient inquiry by medical men.

We doubt not that this was the very best thing that could be done for the defendant. Nevertheless, the case will furnish material for those penal reformers who are constantly asking that observation centres should be established in which offenders could be examined before being dealt with by the court. A system is certainly open to criticism which necessitates a sentence of imprisonment with the avowed object of affording facilities for observation into mental condition. The practical man answers that the law cannot delay its processes indefinitely for prolonged observation by scientists, but, all the same, we think that where a jury makes special recommendations, as in this case, it ought to be possible for the court to order a period of observation without having to proceed to conviction and sentence.

That well-conducted prisons provide means of observation and treatment we feel quite confident. The public, however, still feels that a prison is a place of punishment, and very few will understand that in cases such as this it may be a place of help. There really is a case for special institutions for this class of case.

WORK FOR PRISONERS.—All who are interested in the practice of the criminal law find themselves gradually becoming interested in the lot of the prisoner.

Mr. E. Roy Calvert, whose knowledge of penal methods has been enriched by much personal observation abroad as well as at home, contributes a valuable article to the *Spectator* of 13th September upon the subject of "Prison Labour Abroad." That prisoners ought to be employed on useful work is now generally admitted, and that some measure of payment according to results stimulates industry and promotes discipline has been proved in many countries. At least one American prison is worked at a profit. In others, owing to difficulties with employers and trade unions, almost complete idleness prevails. Mr. Calvert found in some European prisons men in separate confinement in large cells equipped with elaborate machinery, doing highly skilled work; and in most there was "an atmosphere of industry which one seldom encounters in an English prison."

An International Prison Congress has just closed at Prague, and soon the League of Nations will be considering the whole question. This is all in the right direction; and writers like Mr. Calvert help those whose time for research and inquiry is limited, by putting salient facts concisely before them.

We are not sure that we agree entirely with him in his insistence upon the importance of vocational training for prisoners. In the case of the young offender it is all important, and Borstal institutions are doing their best to provide it. But there must be a large proportion of adult prisoners who are in no need of, and who can hardly profit by, anything in the nature of vocational training; the question there is rather one of finding useful and remunerative work for them.

Appearance by Guardian *ad litem.*

A POINT of practice which might well be reviewed by the Supreme Court Rules Committee arises in connexion with the appearance of an infant defendant to an originating summons.

The circumstances (which have arisen in an actual case within recent months) are as follows :—

An executor of a will finds it necessary to apply to the court for the determination of certain questions arising in the course of administration of the estate. He accordingly issues an originating summons, in which he is the plaintiff. One of the defendants is an infant who is living with and under the care of the executor-plaintiff.

Under ord. 16, r. 18, of the Supreme Court Rules, an infant can only enter an appearance by his guardian *ad litem.* But a plaintiff cannot act as guardian *ad litem* of a defendant. (See note to ord. 16, r. 1, in Annual Practice, 1930.) So the executor-plaintiff cannot appear for the infant defendant. The rules forbid it. What must the plaintiff do ?

Order 13, r. 1, directs that where no appearance is entered by a defendant who is an infant, the plaintiff shall before further proceeding with the action or matter apply to the court for an order that some proper person be assigned guardian of such infant defendant, by whom the infant defendant may appear. This is simple and proper. But observe : No such order (continues r. 1) shall be made unless it appears on the hearing of such application that the originating summons was duly served, and that notice of such application was, after the expiration of the time allowed for appearance and at least six days before the day in such application named for hearing the application, served upon or left at the dwelling-house of the person with whom or under whose care such defendant was at the time of serving such originating summons.

The originating summons is therefore solemnly served upon the executor-plaintiff. His own summons. He is debarred by the rules from entering an appearance as guardian *ad litem.* He does not enter an appearance. Very well. Can he immediately apply for the appointment of someone else as guardian in his stead ? Certainly not ! He must await the expiration of the eight days allowed for appearance—presumably to see if he has entered an appearance to his own summons (which the rules prohibit him from doing). Then the service upon him of his own summons must be verified by affidavit, search made on his behalf for the appearance he has not entered (and could not enter), and a certificate of his non-appearance obtained (ord. 13, r. 15).

Having carried out these perfectly unnecessary details, the executor-plaintiff can now apply under ord. 13, r. 1, for the appointment of some person as guardian *ad litem* of the infant defendant. But observe the directions as to service : While nearly all other non-appearing defendants are served by filing against them in default, this application must be served on the executor-plaintiff as the person with whom or under whose care the infant defendant was living at the time of serving the summons. And presumably an affidavit of service of such application will be necessary.

The waste of time and expense occasioned by these particular rules is as nothing compared with the absurdity of them. No wonder the layman regards the law as an ass. The practice outlined above is ample justification for his contention. And the sooner the Rules Committee reviews the practice as to appearance of infants by guardian *ad litem* the sooner will the reproach be removed—in this particular respect at all events.

A UNIVERSAL APPEAL.

TO LAWYERS : FOR A POSTCARD OR A GUINEA FOR A MODEL FORM OF BEQUEST TO THE HOSPITAL FOR EPILEPSY AND PARALYSIS, MAIDA VALE, W.9.

Rambling Recollections of an Old Reporter.

I.

LIKE the onlooker in sport, the reporter may be said to see most of the forensic game, and certainly during my many years at the Bar I have seen not a few interesting personalities and incidents in the courts, some of which may be worth setting down.

After my call, the first duty I had to perform was to sign the roll in the Lord Chief Justice's Court and pay my half-crown to the senior usher for the privilege of so doing. This ancient ceremony has, I understand, long been abolished, so, nowadays, the newly fledged barrister is half a crown richer, and this is something in these depressing times. At the date when I signed the roll, the occupant of the Chief Justice's seat was LORD COLERIDGE, "silver-tongued COLERIDGE," as someone called him ; for he undoubtedly possessed a mellifluous voice which he could use with admirable effect. His dignified presence, the charm of his manner, and the lustre attaching to his name, all combined to impress young members of the Bar, especially those who had any predilection for literature. It is true that by this time he was an old man, and occasionally, after the luncheon interval, he reminded the visitor of a trait in the character of Sir JOHN DODDRIDGE, one of the judges of the Court of King's Bench during the Stuart period. Of him FULLER has told us that he was called "the sleeping judge," because he would sit on the Bench with his eyes shut, which was only a posture of attention to sequester his sight from distracting objects, but there were those who in the Chief Justice's case otherwise accounted for his habit of "sequestration." Even to-day it is whispered that "judicial sequestration" is not altogether unknown. But, despite a few foibles, LORD COLERIDGE was a distinguished ornament of the Bench, whose judgments showed that exquisite polish and felicity of language to be expected from one who inherited not a little of the genius, and none of the dreaminess, of his great-uncle, SAMUEL TAYLOR COLERIDGE. His elocution was perfect, so much so that a competent judge in such matters could say, "I should enjoy listening to COLERIDGE even if he only read out a page of 'Bradshaw'" ; and few could excel him as a public speaker. But as even HOMER occasionally nodded, so, too, did the Lord Chief when, eulogising Oxford, he said in his most dulcet tones : "And when I speak of Oxford, I speak not of this college or of that college, but of Oxford as a whole, and, gentlemen, what a *whole* Oxford is." In pronunciation he had what most of us thought one or two idiosyncrasies. Thus, the word "knowledge," which we pronounced "nŏlledge," he invariably pronounced "nōledge" ; and he likewise accented the second syllable of "extradited" instead of following the more usual rule of placing the accent on the third syllable. But when anyone reaches the Chief Justice's seat, or, indeed, any position on the Bench of the High Court, he can pronounce words as he likes, although, of course, he must not be guilty of a false quantity in Latin. JAMES PAYN never could understand why a false quantity in a dead language is always so mirth-provoking while a similar solecism in English is passed over as of little consequence. The two pronunciations mentioned which LORD COLERIDGE, C.J., favoured may possibly have been traditional in his family, for they were followed by his son, the late LORD COLERIDGE. These peculiarities remind one that some other judges have also asserted their right to depart from the usual modes of pronouncing words. Thus, I have heard Mr. Justice HAMILTON (now VISCOUNT SUMNER) speak of "pīracy" and a "protagŏnist" ; I also heard him, when asked to make a "perémptory" order, say that he would make it "péremptory" ! In my early days the word "revenue" was in the courts often pronounced in the old way with the accent on the second syllable, although the more modern usage was making headway, and it was said that when a

barrister became a law officer he immediately adopted the older style. Now this has quite gone even in official circles.

After this lengthy divagation on the subject of pronunciation I come back to those who sat on the Bench when I was a very junior barrister. In Court of Appeal, No. 1, which then sat in what is now the Bar Room, LORD ESHER M.R., kept things lively by his sallies and shrewd sense. Beside him there frequently sat Lord Justice BOWEN, one of the keenest intellects the English Bench has ever had, and Lord Justice FRY, a great lawyer, who gave himself wholeheartedly to the work of administering justice, but who did not sparkle as did BOWEN. It was the latter who, when taking temporary duty for the first time in the Admiralty Court, expressed the hope that there might be

"No moaning of the bar,
When I put out to sea."

Of a brother judge he also said, "To go to the Court of Appeal with a judgment of ——'s in your favour is like going to sea on a Friday. It is not necessarily fatal; but one would rather it had not happened." Another witty observation of his came back to my mind when I saw Lord Justice A. L. SMITH take his seat for the first time in the Court of Appeal. There was no gainsaying the legal acumen of that learned judge, but there was lacking from his judicial pronouncements anything resembling style. This was happily described by BOWEN when he said that "there is a distressing nudity about A. L.'s language." It is probable enough that the general intellectual equipment of the present-day members of the Bench is quite as great as it was at the time of which I have been speaking, but somehow these older men, many of them with side whiskers which imported a graver appearance to their faces, seemed to us then to stand on a loftier level, and further removed from us juniors than are their successors with whom we, now seniors in age, have grown up.

Among the common law judges of those early days one of the most brilliant was Mr. Justice R. S. WRIGHT. A very learned lawyer, and as sharp as a needle, he nevertheless was not quite the success that was anticipated. For one thing he was always too quick, striking too soon, as the Court of Appeal had to tell him in one case. There is a yarn, too, of BOWEN finding him comparatively early in the day at the Athenæum, and having asked how he managed to get there so soon, was told that he had got through his list. BOWEN'S alleged reply was this: "Don't you think you had better go back and hear the other side?" The story is doubtless apocryphal, invented by some wag who knew WRIGHT'S rapidity, but it is characteristic of this foible of the judge. Of an instance of his too rapid methods I was myself a witness when he was the senior judge sitting in a Divisional Court. A case was part heard on the previous afternoon in which the late Sir ALBERT (then Mr.) BOSANQUET was counsel. When the court resumed in the morning, BOSANQUET rose to continue his argument, when Mr. Justice WRIGHT said: "We needn't trouble you further, Mr. BOSANQUET," and thereupon he proceeded to give a lengthy judgment which was concurred in by the junior judge. When both had finished, BOSANQUET rose and with even more than his usual solemnity said, "I suppose it doesn't matter, my lord, but you have stopped me and given judgment against me," at which there was considerable merriment everywhere in court, except on the Bench, where the two judges blushed furiously. The senior then said, "Of course, these judgments will be re-called, and we will hear you, Mr. BOSANQUET," which they then did, reserving judgment at the conclusion of his argument. It is perhaps only fair to add that when the reserved judgment was delivered it was to the same effect as that which had been re-called.

Another, but an older, judge of the Queen's Bench Division at that time was BARON POLLOCK. As the last to retain the title which was given to the judges who sat in the Court of Exchequer, he had a special interest for us younger men who came to the Bar after that ancient tribunal and its successor, the Exchequer Division, had become merged in the Queen's Bench Division. Whether BARON POLLOCK was a great judge or not I cannot say, but he looked a benevolent old gentleman. One drowsy afternoon I remember him sitting in a Divisional Court with Mr. Justice GRANTHAM, when an appeal from an Official Referee was begun, involving a vast amount of figures. The Baron, who had a special antipathy to this kind of case—does anyone love it?—enquired plaintively, after the argument for the appellant had proceeded some little way, if there was no royal road to the end of the case. Unhappily for him there was none. There was a legend that on another occasion, when sitting with a jury, he became slightly soporific during counsel's opening address, which contained a reference to someone who had "gone to his long account." The last word startled the Baron into complete wakefulness and into making the remark: "Long account! Then I'll refer this case to an Official Referee!"

(To be continued.)

Lawyers on Holiday.

[FROM OUR SPECIAL CORRESPONDENT.]

Chicago.—Thursday, 21st August.

This has been a comparative quiet day, and, after a night in the train, we were glad to take things easily. Each and all of us found invitations to dinner awaiting us from various kind hosts and hostesses, and after so many banquets it was pleasant to sit down in less formal surroundings and enjoy American hospitality. At 8.30 the fine Civic Opera House, seating 2,500 people, was filled from floor to ceiling and Mr. Justice HUGHES, the Chief Justice of the United States, made an eloquent speech of welcome, which was replied to by Lord DUNEDIN and others of our party. This was followed by a reception and dance at the Stevens Hotel.

Friday, 22nd August.

Another busy day, starting with a luncheon at the Blacketon Hotel, the ladies being entertained by Mrs. HENRY M. SIMS, at another hotel. Sir JOHN SIMON had been asked to say a few words about India, and, speaking with great fluency, and in the short space of thirty minutes, he gave us a most succinct and illuminating address on this great problem, pointing out the necessity of trying to understand a question before passing judgment upon it. His speech was loudly applauded, and many Americans afterwards expressed appreciation of it. At 3 o'clock we boarded a fleet of cars and drove off through the Jackson Park to drink tea at the South Shore Country Club, one of the many palatial clubs which Chicago possesses. We passed through what was, at one time, a high-class residential district, but now, as the result of a huge negro invasion, practically abandoned to that race. As lawyers we shuddered to think what losses mortgagees must have sustained as the result of such a serious depreciation of values.

Another magnificent banquet at which we were the guests of the American Bar Association. In the course of the evening Sir JOHN SIMON, as spokesman for the four Inns of Court, supported by Sir ROGER GREGORY on behalf of The Law Society, presented a fine silver gilt salver (Temp. GEORGE II) to the Bar Association as a token of affection and esteem, and, as usual, said exactly the right things, in as few words as possible, setting a good example, which, alas, succeeding speakers did not altogether follow, as speeches were in full flow at 12 p.m.

Saturday, 23rd August.

The party divided, some going for a steamer trip on Lake Michigan, while others visited the stockyard and packing premises of the Swift Meat Co. For lunch, we drove to the

Law School of the North Western University, and were shown over this splendid block of buildings by professors and undergraduates, afterwards sitting down to an *al fresco* lunch in the hall and cloisters. We then adjourned to the Lincoln Hall to witness the installation as Hon. Members of the Coif of Lords DUNEDIN, MACMILLAN, TOMLIN, TALBOT and MACNACHTEN, THE ATTORNEY-GENERAL and Sir JOHN SIMON. Tea followed at the Marshall Field Museum of Natural History, at the other end of the town, and we then attended a lecture and special demonstration at the Adler Planetarium. For the benefit of the uninitiated it may be explained that this fine building, presented by Mr. MAX ADLER, of Chicago, is a theatre of the sky, in which astronomy is dramatised. In the middle of the building is a circular hall, 70 feet in diameter, surmounted by a hemispherical dome, on which with the help of a remarkable instrument, is projected from some 119 lenses, the sun, moon, planets and stars, which, following their respective orbits, pursue their proper course across the heavens at such speed as the operator desires, and in the space of half an hour, one can see the sky as it exists on any day in the year, and in any quarter of the globe. At 8.30 p.m. there was a musical programme in the huge Stadium, attended by 170,000 people listening to massed bands and huge choruses of singers.

Sunday, 24th August.

The real business of the day did not begin until 3.30 p.m. when, in a fleet of motor-coaches, we drove some twenty miles through really beautiful residential suburbs, stretching northwards along the shore of the lake to a place called "Winnetka," where, as the guests of the English-speaking Union, we were entertained at tea by Mrs. W. B. Hale, in a most delightful garden. After tea we again packed into out coaches and drove another five miles or so to attend a performance of "Le Bal Masqué," at the Ravinia Open-air Opera House, at which some 1,500 people were present. This fine building, situated in the middle of a park, is roofed in, but otherwise is open to the air, and forms a delightful auditorium on a warm evening. It is financed by a Mr. EKSTEIN, of Chicago, who is credited with spending a million dollars annually over his hobby. As performances only take place in the summer, he is able to secure the pick of the Continental talent, and it is admittedly marvellous that, at this vast distance from the seat of grand opera, the citizens of Chicago should be able to hear and enjoy opera performed by the finest singers in the world.

Monday, 25th August.

At 1 o'clock we boarded our train for our nineteen hour journey to Washington, finding ourselves, at once, the guests of the Washington Bar Association and enjoying their hospitality. This afternoon we all received, on the train, a most cordial letter of welcome from our Washington hosts and a parting word from our generous hosts at Chicago, and it may be well to illustrate the methods of American hospitality by reproducing this card, which runs as follows:—

"To our parting guests from the lands beyond the Sea:

"It is with regret that we see you leave Chicago. Our association with you for these brief days has been made delightful by your cordial and ready acceptance of our arrangements, and your kind expressions of appreciation of our small services to you. The Bar of Chicago looks back over a golden week. It has been a very happy time. We shall not forget you and we hope we shall meet again.

We welcomed your coming. With new friendships we now bid you godspeed.

"The Chicago Bar Association.

"Chicago, August 25, 1930."

Washington, 26th August.

We found very pleasant quarters awaiting us at the Mayflower Hotel, but it is, perhaps, providential that most of our meals are to be eaten outside the hotel, as there seems to be a uniform opinion amongst hotel managers in the U.S.A. that all visitors are millionaires and one dollar for a hair cut, and twenty-five cents for a spoonful of marmalade are illustrations. At 12.30 we drove off to a delightful informal lunch at the Chevy Chase Club, as guests of the Lawyers' Club, and in the loggia, after lunch, there were some amusing speeches. At 4.30 in summer clothes, and, the Lord Chancellor's Secretary notwithstanding, top hats and black coats discarded, we attended a garden party at the White House, and on the lawn, assembled in groups—Judges, K.C.'s, Junior Bar, and Solicitors—we had the pleasure of shaking hands with President HOOVER and Mrs. HOOVER. It was a pleasant, sociable and very informal party, and the PRESIDENT, in a blue serge jacket and white flannel trousers, provided an object lesson for one or two members of our party, who insisted on appearing in black tail coats in one case—alas! crowned with a panama hat!!

The whole party, with many other guests, were entertained at dinner by the ATTORNEY-GENERAL OF THE UNITED STATES in the Pan-American Union Hall of the Americas. The ATTORNEY-GENERAL (Sir William Jowitt) made a carefully prepared speech, and took the opportunity of pointing out that while the United States Empire was bordered by the two oceans, the British Empire was world-wide and involved altogether different conditions and necessities.

A Conveyancer's Diary.

Settled Legacies Bequeathed Free of Duties.

A recent case of some interest with regard to gifts free of duties where some of the duties are not payable on the death of the testator but will arise on the death of an annuitant or life tenant is *Re Laidlaw, Wilkinson* v. *Lyde* (1930), W.N. 206.

A testator bequeathed a number of annuities and legacies, some of which were settled and directed that all the legacies and annuities thereby given were to be "satisfied, paid and enjoyed free of death duties." The question arose whether the direction regarding duties was limited to the legacy and estate duties payable upon the testator's death, or whether the direction extended to the duties which would become payable on the deaths of the annuitants and the determination of the life interests in the settled legacies.

Eve, J., held that the whole of the legacy duties must be paid out of the residue, but that the only estate duties of which the legatees were relieved were those which became payable on the testator's own death. The learned judge said that the direction in question was ambiguous and might be taken to refer only to duties payable on the testator's death, and therefore, the rule applied that in the absence of a very clear indication in the will to the contrary the only estate duties the legatees would not be freed from were the future estate duties.

I think that it is worth while examining some of the cases on this subject. It is often of importance in taking instructions for and settling a will and the testator's intention may sometimes be defeated or only partly carried out, through lack of precision in the language used. It is obvious that a great deal of inconvenience will result in cases where the testator desires to free settled legacies from future estate duty, because that must entail a delay in the distribution of the residue, and of course, it will not be known with certainty how much will be required to be set aside to meet such duties, the rate of which may be increased before the time for payment arrives, and it is, no doubt, for that reason that very explicit directions are necessary where such duties are intended to be covered.

In *Re Stoddart* [1916] 2 Ch. 444, a testator gave six sums of varying amounts to trustees, upon trust as to each sum, to pay the income to a relation for life, and then to his or her wife or husband for life, and subject thereto he gave the

income and capital to the children and issue of the relation. The will contained a direction as follows: "I direct all the legacies (whether settled or otherwise) and the annuities hereinbefore bequeathed to be paid and enjoyed free of all death duties." The real and personal estate was given to the trustees upon trust for sale and conversion, and out of the proceeds "to pay my funeral and testamentary expenses and debts, and pay or provide for the legacies and annuities hereby or by any codicil bequeathed, and the duties thereon," and to invest the residue in trust for certain charities.

It is to be observed with regard to this case that the testator died in 1913. At that time estate duty would not have been payable upon the deaths of the tenants for life of the settled legacies by virtue of the relief afforded in such cases by s. 5 (2) of the Finance Act, 1894, but s. 14 of the Finance Act, 1914 (which came into force after the testator's death), abolished that relief, so that duty became payable on the cesser of the life interests.

It was held by Sargant, J., that the words of the will threw the prospective claims for estate duty on the residue in relief of the settled legacies. The learned judge said that if the testator had desired that the pecuniary legacies settled on his relations should be enjoyed by them absolutely and entirely it would have been difficult for him to have used any more comprehensive words than those found in the will. It would seem as though the learned judge was to some extent influenced by the fact that the residue was given to charities. He said: "It seems to me that that was his (the testator's) desire—that, while giving his residue to charity and measuring out carefully the amounts which were to go to his relations, he did by this clause intend to provide that these relations should take the amounts provided for them absolutely and entirely net and free from death duties of all descriptions."

It will be noticed that the language used in that case was very similar to that employed in *Re Laidlaw*, and it is difficult to distinguish the one from the other except on the ground that in the one case the residue went to charities and in the other it did not. Moreover, in the earlier case the future duties were not imposed at the date of the testator's death, and for that reason were presumably not in his contemplation. I must say that I can see little difference between the expression "satisfied, paid and enjoyed free of death duties" used in *Re Laidlaw*, and "paid and enjoyed free of all death duties" employed in *Re Stoddart*.

In *Re Parker* the testator directed his trustees to set apart and invest four separate funds, which were settled for the benefit of relations of the testator and their children. The testator declared that all legacies, annuities and bequests made by him should be "free of legacy duty, succession duty, settlement estate duty, and all other death duties" and that such duties should be borne and paid out of his residuary estate. The testator gave his residuary estate to his trustees in trust for conversion and out of the proceeds to pay his funeral and testamentary expenses and debts "and pay or set aside the legacies bequeathed by this my will or any codicil hereto and the duty on any legacy directed to be paid free of duty," and to divide the residue.

It was held by the Court of Appeal, affirming Sargant, J., that the declaration exempting from duties operated so as to include and make payable out of the testator's residuary estate all legacy estate and other duties whatsoever thereafter arising by virtue of the limitations contained in the will by way of settlement of each of his four funds as well as all such duties as became payable on the testator's death.

It would have appeared from these cases that the decision in *Re Laidlaw* might have been different, but later came the decision of the Court of Appeal in *Re Wedgwood; Allen* v. *Public Trustee* [1921] 1 Ch. 601.

In that case the whole question was very fully discussed. I have no space to go closely into the facts and arguments of the case, but must content myself by saying that the case was a most interesting one, and the decisions in *Re Stoddart* and *Re Parker* were considered and distinguished. The effect of the decision may be stated in the language of Sterndale, M.R.: "I think that it is settled that the words 'free of all duties' have no general meaning as applied to all wills, and that they must be construed according to the meaning given to them by the particular will under consideration. . . . I think, therefore, that it is established by authority that the words must be construed together with the rest of the will to ascertain what duties were meant to be thrown upon the residue with the result of exempting the corpus of the settled legacies from them." That, after all, amounts to no more than saying that the whole question is one of construction. It is, however, from the practical point of view of those responsible for the drafting of wills of great importance to notice what construction the court has put upon particular expressions, and I think that *Re Wedgwood* is a case which is worthy of closer examination than I am able to give to it this week, and I propose to return to it and to deal with some of the later authorities.

In the meantime I may point out that *Re Laidlaw* (although the correctness of the decision may be called in question) is a warning to draftsmen that if a testator desires to throw the burden of future estate duty, payable in respect of settled legacies, upon residue, that desire should be stated in unequivocal terms.

Landlord and Tenant Notebook.

Decontrol by Long Lease.

One of the methods by which premises within the Rent Acts may be decontrolled is by the grant of a lease or tenancy agreement under s. 2 (2) of the Rent and Mortgage Interest Restrictions Act, 1923.

In order, however, that the premises may be decontrolled under that sub-section, certain conditions must be fulfilled and these conditions may be summarised as follows:—

(1) The term must be for a period of not less than two years.

(2) It must expire, in the case of a lease or agreement made *before* the 28th May, 1925, at some date after the 24th June, 1926, and in the case of a lease or agreement made after that date, at a date not earlier than one year after the date fixed at the time at which the lease is granted for the expiration of the principal Act, and for this purpose it will be necessary to bear in mind the various Acts which have from time to time continued the operation of the Rent Acts.

(3) The lease or agreement must be granted to "the tenant."

Now "the tenant" has been held in *Bartram* v. *Brown* [1929] 1 K.B. 103, to mean the sitting tenant, and the grant of a lease or tenancy agreement to a stranger will be ineffective for the purpose of decontrolling the premises. The reason for this was thus stated by Scrutton, L.J., in the above case (*ib.*, at pp. 132, 133). "I think," said the learned lord justice, "the object of the sub-section was to allow the change from a tenant under the Acts to a tenant under contract, who had as much contractual protection as he would get under the Acts to decontrol the house. If a long lease was being granted to a new tenant, decontrol could be effected under s. 2 (1) by the landlord's entering into actual possession before he granted the new lease, without any need for sub-s. (2). If there were a sitting tenant, 'the tenant,' he could not be dealt with in this way, and sub-s. (2) was necessary. The whole aim of s. 2 in my opinion was to accelerate decontrol, if vested interests were extinguished or provided for."

An attempt was made in *Abbey* v. *Barnstyn* [1930] 1 K.B. 660, to limit the meaning of "the tenant" in s. 2 (2) of the

1923 Act still further. It was sought there, but without success, to confine the word to a statutory tenant. But it was held that "the tenant" included a contractual as well as a statutory tenant. In that case, the original contractual tenant had died, leaving his wife, who was not at the time in physical possession of the premises, sole executrix and legatee. A new tenancy agreement was granted her by the landlords, and this took place before the will was proved by her. It was held by the Divisional Court that the premises had become decontrolled.

There is another point in connexion with s. 2 (2) which should be noted. Inasmuch as the Court of Appeal have held in *Lloyd* v. *Cook, etc.* [1929] 1 K.B. 103, that "landlord" does not necessarily mean the freeholder, premises may be decontrolled under s. 2 (2) even where the lease or agreement is granted to a sub-tenant by the tenant lessor. In such cases, however, it would seem, having regard to the decision in *Oakley* v. *Wilson* [1927] 2 K.B. 279, that the sub-tenancy must be of the whole and not of a part of the premises.

It would further appear that where a tenant has granted a sub-tenancy of the premises to his sub-tenant, the fact that that sub-tenant had himself sub-let the premises to his own sub-tenant, who was still in occupation, would not prevent the whole of the premises becoming decontrolled, subject only to the limited protection given by the Acts to the sub-tenant of the part, since, according to the proviso to sub-s. (2) of s. 2: "where part of the dwelling-house is lawfully sub-let at the commencement of the term, and is a dwelling-house to which the principal Act applies, that part shall, notwithstanding anything in the foregoing provisions of this sub-section, continue to be a dwelling-house to which the principal Act applies."

Our County Court Letter.

THE DEVELOPMENT OF NEW ESTATES.

The remedies available to dissatisfied purchasers of plots and houses were illustrated in two recent cases. In *Jameson* v. *Kinmel Bay Land Company Limited*, at Rhyl County Court, the plaintiff claimed £100 as damages for misrepresentation. The plaintiff's case was that in August, 1928, he had purchased three-quarters of an acre, in reliance upon a verbal promise by the defendants' manager that water would be laid to the site, and that a road would be constructed before his house was built. The printed agreement, however, merely provided that the defendants reserved the right to refuse the use of the road to any person, but the plaintiff took no legal advice and was given a free conveyance. Access to the site was impossible in the winter, however, as the supposed road was deep in mud, and the eggs from the plaintiff's poultry farm could not be sent to Manchester, but had to be sold locally at low prices. In March, 1929, the plaintiff threatened an action, but the defendants blamed the local authority for the lack of water, and denied that they were liable to lay a metalled road. The defendants pointed out that a road had been made by means of a grader, which removed the turf and sub-soil, after which large stones were laid with a surface of chippings, and it was submitted that there was no case to answer. The submission was over-ruled, however, and the defendants' manager stated that the plaintiff had chiefly been concerned with financial matters, and the only promise had been to make the road with a grader. The contention for the plaintiff was that the purchase price of £100 per acre, or 2s. 6d. per foot frontage charge, included all the roads on the estate. His Honour Judge Artemus Jones, K.C., held that the manager had promised that the road should be constructed, and, whether or not he had the right to make the promise, the plaintiff was entitled to assume that the manager was the authorised agent of the defendants. The promise had undoubtedly not been kept, and judgment was therefore given for the plaintiff for £25, with costs.

In *Miller* v. *Cannon Hill Estates Limited*, in the City of London Court, the plaintiff had bought a newly built house from the defendants, but the rain came through the walls, and the damp patches in the bedroom united into a black mass, upon which there was a growth of fungus. The health of the plaintiff's wife deteriorated owing to the house not being weatherproof, but the defendants' evidence was that (*a*) the materials were in some respects better than those commonly used in the same class of work, (*b*) a certain amount of shrinkage could not be prevented, even if the timber were well dried, as the joinery frames were erected before the roof was put on, and had thus been exposed to abnormal weather. It was pointed out for the defendants that every new house had what might be called its teething troubles, and certain small adjustments were always necessary as the house became acclimatised. The jury found, however, that (1) the house was not reasonably fit for habitation, either at the date of completion or at the issue of the summons; (2) the state of the house was mainly due to faulty construction, accentuated by abnormal weather. Legal arguments followed these findings, and it was held by His Honour Judge Shewell Cooper (in a reserved judgment) that the verdict was not against the weight of evidence, and that the meaning of the expression "faulty construction" was that the workmanship and material were bad, and not in accordance with the agreement. Judgment was therefore given for £91 7s. (the amount assessed by the jury) and costs, and an application for a new trial was refused, as there was evidence to support the verdict. A stay of execution for twenty-one days was granted, however, on condition that the damages and costs were paid into court.

Practice Notes.

THE SAFETY OF CINEMA AUDIENCES.

In *Morgan* v. *Abse and others*, recently heard at Aberdare, the first defendant was charged as lessee with permitting the gangway of the Grand Theatre (being a place used for cinematograph exhibitions) to be obstructed, and two other defendants were charged as managers with aiding and abetting. The case for the prosecution was that forty-nine persons had been standing in a gangway leading to an exit, but the preliminary objection was taken that the informant had no right to prosecute, as he was an officer of the Aberdare Urban District Council, whereas the Glamorgan County Council was the licensing authority. Mr. R. A. Griffith, stipendiary magistrate, held (in a reserved judgment) that the Cinematograph Act, 1909, did not authorise the county council to delegate its licensing power to the district council, and therefore, the first defendant's licence was invalid. No defence was thereby afforded, however, in the event of a breach of the regulations of the Secretary of State, as the facts revealed yet another breach, viz., the exhibition of pictures by means of an inflammable film in an unlicensed building. The proceedings were therefore not rendered abortive by the licensing irregularity, as the position of informant could be filled by any person, including an official of the district council. The first defendant was accordingly fined £5 or thirty-one days, and the other two defendants were fined £2 or twenty-one days.

CONTROL OF MOTOR BOATS DURING ENGINE TRIALS.

The question of responsibility for a boat undergoing trials was considered in a recent case at Lowestoft, where the coxswain of an R.A.F. seaplane tender was charged with careless and dangerous navigation, contrary to the Great Yarmouth Port and Haven Bye-laws. The case for the Commissioners was that some men were doing some piling

on the river wall at Herringfleet, when they noticed the tender approaching at a speed of from 15 to 20 m.p.h., and they had difficulty in preventing the resultant wash from lifting their flat bottomed boat on to the piles. The workmen's boat was not flying a red flag, but a warning notice had previously been erected, owing to damage to the ronds of the river by the wash from motor boats. The defendant denied having endangered any other craft, and it was contended on his behalf that (1) he was merely manipulating the boat; (2) he had been wrongly summoned, as the boat was under the control of either the Government officials or the representatives of the engineering firm, the employers of the defendant. The senior officer on board stated that the sea was too rough for the trials, and therefore, the River Waveney was chosen, but he denied having ordered the inland course to be taken, as the launch was not in charge of the R.A.F. A director of the engineering company stated, however, that the launch was not their property, nor was it in their charge during the trials, as the defendant took his instructions from the Government officials. It was submitted that the bye-laws did not apply to a sea-going boat, but the chairman (Mr. W. H. Case) stated that the case would be dismissed on the ground that the defendant was not in charge. It transpired that the boat in question was thirty-five feet long, with an engine of about 100 h.p. and a maximum speed of fifteen knots.

Correspondence.

Lawyers' Visit to America.

Sir,—The party of lawyers who left England on the 5th of August to pay a visit to Canada and the United States of America on the invitation of the Bar Associations of these countries have now in mid-September returned to England, having travelled far and seen many men and cities. Throughout we have been received as representing the Bench, the Bar and the Solicitors of Great Britain, and to the best of our ability we have endeavoured to fill this responsible position.

In Canada representatives both of the Dominion and the Provincial Governments as well as of the judiciary and the legal profession joined in welcoming us in the kindest manner, and the circumstance that the President of the Bar Association was also Prime Minister of Canada lent additional distinction to the occasion. In the United States the President did us the signal honour of receiving us at the White House and the Chief Justice of the Supreme Court was present and delivered an address at our ceremonial reception in Chicago, while we also enjoyed many opportunities of meeting eminent Federal and State Judges and leading members of the Bars of the great cities which we visited.

We should like to be allowed to say in a public manner on behalf of the members of our party that we were received everywhere—in Quebec, Montreal, Ottawa, Toronto, Niagara, Buffalo, Detroit, Chicago, Washington, Annapolis, Baltimore, Philadelphia, New York and Boston—with the greatest cordiality and the most friendly welcome. The most elaborate arrangements had been made for our entertainment and comfort and the constant kindness and consideration of both our Canadian and our United States hosts could not have been surpassed.

We are well aware that to many of those whom we met in the course of our travels special thanks are due either in connexion with the arduous work of organising our reception and entertainment or in respect of kindness shown to individual members of our party. Endeavour has been made to send separate thanks in every case, but it will readily be understood that during such a journey opportunities for correspondence were rare, and if anyone has been overlooked we wish to express the hope that he or she will add to the great generosity with which we have been received by pardoning our omission and taking the will for the deed.

We all of us felt when our homing ships turned eastwards that we were leaving numerous transatlantic friends behind as well as taking with us many most pleasant memories, and so perhaps we may be allowed to add that, from our point of view at least, the visit was an unqualified success.

DUNEDIN.
WILLIAM A. JOWITT.
ROGER GREGORY.

London.
17th September.

The Bishops and Divorce.

Sir,—One reads with very great regret the concluding words of your article under the above heading in your issue of the 30th August, "the bishops still appear to live in a medieval atmosphere of their own, and, while they do so, cannot justly complain if young people respect neither them nor their doctrines."

With great respect I would urge that comments such as these, made so frequently by editors of repute in the daily press, and weekly and other journals, do incalculable harm amongst our young people. While none of your readers would question your exposition of the law on the subject dealt with in your article they cannot be blamed, whether they be churchmen or no, for any deep feelings of sympathy they have with the Bishops in the dilemma with which they are faced.

As you have frequently found occasion to point out, the law of divorce is in a most chaotic state and quite unworthy of the best traditions of this country, while be it said to the honour of the Bishops, they have at least had the courage to face the problem and, law or no law, there will be found very few loyal churchmen to repudiate their doctrine or indulge in the all too familiar cry nowadays that the leaders are dissatisfying and have lost the confidence of the people.

Wembley, X. C.
3rd September.

[We regret to give pain to any of our readers; but it is the duty of every newspaper to denounce lawlessness on the part of those in authority, and none the less of one which speaks for the profession and upholds the honour of the law. We cannot therefore recede from our position that, if the Bishops wish to be respected, they in turn must respect the highest tribunal of the law, and defer to its judgments instead of ignoring them if they fail to accord with ancient theories. As to collusive divorces by hotel bills, the wife is accessory before the fact, and, in this way, sharing the moral guilt if adultery has been committed, is, in our opinion, quite wrongfully described as "the innocent party."—ED., *Sol. J.*]

Alice in Police Court Land.

Being a jumble of things that have happened, a little exaggerated in the telling.

II.—The God in the Car.

Alice got very fond of the police court.

She went one day when a fox was before the court for being drunk in charge of a mechanically propelled vehicle.

Her old friend, Constable C.2 All, ran through the oath at a speed dangerous to the public, and then went on:

"I was on traffic duty, my lord, regulating the traffic in Piccallilli Circles. I had my right arm extended parallel from the shoulder, and foot pedestrians were taking the opportunity to cross.

"The prisoner came from behind a line of cars at tremendous speed, narrowly colliding with an H. C."

"What do you mean," said lord Lyon sharply. "What *is* a H. C.?" The noble lord still had his foot in bandages, and was inclined to be a little thorny. The Rest of the Bench sat and looked wise.

"A hackney carriage, my Lord," said an extra big bear, rearing up majestically in a box near the witness.

"Go on, go on," said Lord Lyon. "GO ON," he roared at the witness.

"I was on traffic duty, my lord, regulating the traffic in Piccallilli Circles. I had my right arm extended . . ."

"GO ON FROM WHERE YOU LEFT OFF!"

"I did'nt leave off, your worship—I mean my lord. I was on traffic duty regulating . . ."

"Call the next witness. Stand down! STAND DOWN!"

Alice felt quite sorry for her poor friend. But the next witness interested her so much that she soon forgot what a dreadful snubbing the unfortunate bear had got.

He was "a small, thin, ridiculous little man who might be any age from thirty to thirty-five," with "sandy hair, watery compassionate blue eyes, sensitive nostrils, and a very presentable forehead." Alice recognised him at once as a famous veterinary surgeon who had been introduced to her father by Mr. Bernard Shaw.

He explained in a mild voice that he was the police surgeon. Of course Lord Lyon and everyone else knew that, but the *Law of Evidence* is very important.

"I was called, my lord, at 12.30 a.m. to-day to examine the prisoner. In my opinion he was drunk."

"Have you any doubt about it?" asked the lion solemnly.

"Oh, no doubt at all. His breath smelled strongly of alcohol. I pulled his leg three times, and he didn't laugh. His tongue was dry, and his eyes bloodshot. He said he was Bacchus."

"My lord," said the prisoner, jumping up excitedly, "He asked my name, and I said Backhouse. My name is Backhouse, my lord."

"Don't interrupt the court," said Lord Lyon severely. "If you do that any more I'll remand you in custody for a week, and then for another week, and another after that till you learn to behave yourself."

"Si-lence," piped the penguin from the usher's box. "Si-lence in court."

N. Drocles, Esq., said no more, and the secretary bird, who had been busily scribbling, with all his claws at once, said "Do you wish to ask this witness any question?"

"My lord, I was not drunk, I was very tired."

"Now, don't talk. Ask questions!" said the lion at once.

"I can't ask questions without talking," said the poor fox.

"Oh! you're a fool," said the lion, "call the next witness."

The next witness was the big bear who knew what "H. C." meant. He had been in charge of the station when the accused was brought in. He staggered and would have precipitated himself to the floor but for Constable C. 2 All. His eyes were diluted and his breath smelled of alcohol. He several times said his name was Bacchus. It could not be Backhouse, because there it was on the charge sheet written by the inspector himself "B-a-c-c-h-u-s." He never made a mistake, had been specially promoted for promptitude, exactitude and efficitude. He knew Piccallilli Circles, and a spot demanding more meticulous accuracy to avoid jeopardy to the public did not exist. And he might add, my lord, that he found the prisoner in his cell at 2.30 a.m. muttering incomprehensibilities. He was actually humming words something like this:

"'Twas brillig and the slithy toves."

"But that's in a book," said Alice out loud. "A book about me."

"Turn that man out," said Lord Lyon savagely.

"It's a woman, your worship," said one of the attendant bears.

"Turn her out for looking like a man," thundered the lion.

There was some excuse for his mistake. Alice had progressed a lot since she had journeyed in Looking Glass land. When she wanted a trip there now, she just opened her vanity bag, and peeped into the mirror. And she had had her hair shingled.

"Turn that woman out," screamed the penguin. "Si-lence."

Alice was bundled out. But she looked into a window and heard the poor fox making his speech in his own defence.

"I wasn't drunk. I was only tired. I'd been running away from the hounds all day. Of course, my tongue was dry and my eyes bloodshot. And I didn't say 'Bacchus.' I said 'Backhouse.' That's my name, B-a-c-k-h-o-u-s-e."

"Do you expect me to disbelieve three respectable witnesses like those the court has heard. Your defence is absurd. Everyone knows that the fox always enjoys the hunt much more than the hounds. Enjoying yourself couldn't make you drunk. You will go to prison for four months, your licence will be suspended for twelve months."

Here the secretary bird jumped up and excitedly whispered to the angry lion. They had forgotten to give the fox his option of being tried by a jury, and had to start all over again.

"Trial by jury," "Trial by jury," shouted Alice through the window, remembering a picture she had seen of a famous Lord Chancellor with his motto below it.

There was a tremendous uproar, during which the lion remanded the prisoner for a week, and a week and a week, the sentences to be consecutive.

Legal Fictions.

VI.

English Law for Foreign Tourists.

THERE is, we understand, a "Come to Britain" movement, designed to encourage foreigners to visit this country for pleasure and business (and, incidentally, to spend money here). It seems a laudable project, which we, are glad in our own sphere, to promote. We feel sure that our Continental visitors will not wish to offend against our more cherished insular prejudices, and will still less desire to break the actual laws of the land in which they are temporary paying guests. So we beg to offer them, in the form of a few short supplements to their English conversation book, an introduction to the great Principles of English Jurisprudence as exemplified in the Shops Acts.

I.—AT THE GREENGROCER'S.

Time—The Afternoon of Early Closing Day.

Dramatis Personæ—An Intelligent Foreign Tourist: A shop assistant.

THE I.F.T.: Good afternoon, Mademoiselle. You have, I see, the apples of the South African importer. Give me of them, please, a pound.

S.A.: Can't sell apples to-day.

I.F.T.: But you do not *give* the apples? Why then can you not sell them?

S.A.: Early closing day.

I.F.T.: But you are not early closed!

S.A.: We're allowed to sell soft fruit—not apples.

I.F.T.: Soft fruit—what is that?

S.A.: Raspberries and such like.

I.F.T.: But I do not desire the raspberries of the English allotment holder; I want the apples of the South African importer.

S.A.: I tell you, you can't have apples. Raspberries or currants or gooseberries.

I.F.T.: Mademoiselle, I go a country walk and want to put some apples in my pocket. I do not like my pocket full of raspberries.

S.A.: What about plums or greengages?

I.F.T.: But their stones are hard; surely you must not sell them—unless you stone them first? What is the purpose of this foolish law?

S.A.: To give shop assistants a half-holiday.

I.F.T.: But you are not having a half-holiday, Mademoiselle.

S.A.: No, because someone may want to buy soft fruit, and I must be here to sell it.

I.F.T.: Then if you must be here, why may you not sell any kind of fruit?

S.A.: I don't know, but it's as much as my job's worth to do it.

I.F.T.: The raspberries are soft, but the heads of the people who made this law, they are softer still. In my country such people would be locked up. Good afternoon, Mademoiselle. I go for a drink before my walk. (*Exit.*)

S.A.: Pore feller, if 'e thinks 'e can get a drink at 3.30 in the afternoon, 'e's got two hours' thirst to get through yet!

In Lighter Vein.

The Week's Anniversary.

On the 23rd September, 1783, King George III's saddler in Piccadilly was presented with a son destined to become one of Queen Victoria's judges, as Lord Chief Baron Pollock, the last of the Barons.

Though a brilliant pupil at St. Paul's School, he offended his master who foretold that his father "would live to see that boy hanged." This prophecy was remembered with amusement some years later when, Pollock having come out Senior Wrangler at Cambridge, his mother received the congratulations of his old master: "Ah, Madam!" he exclaimed, "I always said he would fill an elevated position."

An amiable man, learned and well-informed beyond the realms of the law, Pollock, C.B., was a most satisfactory judge, even from the point of view of the occupants of the dock.

His progeny was patriarchal, numbering before his death twenty children and over fifty grandchildren. Of his brothers, one became a Field-Marshal and another a Chief Justice of Bombay.

Second Thoughts.

The case of the woman who has just been very properly acquitted of murder after withdrawing an injudicious plea of "guilty," recalls the story of a very different type of prisoner who was once acquitted before the merciful Pollock, C.B.

He had gone into the dock with the firmly expressed determination of pleading "guilty." Afterwards he thus explained the different course he had taken: "I never guessed it was to be the Lord Chief Baron. As soon as I clapped eyes on the dear old boy, I know'd I had a good chance, so I up and said: 'Not guilty, my Lord.'"

Condemned Comfort.

"There is a charming cuisine, perfect quiet, delightful rooms containing model beds and a nice garden." This eloquent advertisement for Holloway Prison comes from one of the magistrates at Marylebone. A little while ago, Rowlatt, J., expressed doubt as to the efficacy of a committal order for non-payment of income tax, "Gaol is so nice, now," he said.

Across the Channel, this phase of modern development is regarded with greater anxiety, for a few weeks ago Dr. Bizard, of the St. Lazare Prison, sounded a note of alarm at the too comfortable conditions in which murderesses who have escaped the scaffold are detained.

Of course comfort is a relative term and very elastic if you consider the remark of a worthy carpenter of Warwick Gaol in the last century, when his new "drop" was criticised as too small. "Lor sir," he said, "it's all right, you may take my word for it, four would hang there werry comfortable."

First Time Lucky.

While our progressive legislators are contemplating the problem of capital punishment and toying with the notion of its abolition, they might give a thought to those ladies on whom gallant French juries not infrequently refrain from inflicting the extreme penalty for murder.

The writer hereof has personal acquaintance with the relations (by an unfortunate marriage) of one such. She "bumped off" an inconvenient husband, did her time and is now living in a little country town enjoying honour, love, obedience, troops of friends, besides her late spouse's money and title. She will not, of course, commit another murder. She does not need to!

Judges Don't Care.

To a burglar who had the misfortune to be injured by a military and militant householder the Recorder of London said: "I do not think it matters in the least if you broke your neck; no one would have the slightest sympathy with you." Such accidents should, in fact, be regarded as all in the night's work for a malefactor.

This admonition reminds one of a remark of Lord Justice Bramwell to an individual convicted of a number of terrible assaults on young children: "Your counsel tells me that four years penal servitude will kill you. *I don't care if it does kill you.*"

The Conveyancer's Lament.

Some time ago on the passing of the Law of Property Act, 1925, we published "*The Conveyancer's Lament.*" On receipt of additional verses from an Australian contributor we have republished our lines and add those of our contributor:—

The Conveyancer's Lament.

"*Usque F(H)LET infelix laudator temporis acti.*"

Let *Foxwell* and *Van Grutten* mourn
For slain are Shelley and his heirs;
Aye, mediate and immediate too,
And *Purchase and Descent in pairs.*
Slain Shelley's heirs? Slain all the heirs
Of all the ages, woe the fact.
Let *Evans* versus *Evans* sing
And wail the hardshell Earl's dire act.
And to whose *use* his massacre?
Alas the *Use* itself is slain
And of the *Juris* that we loved
Not one *Scintilla* doth remain.
The *Interesse Termini*
Is terminated once for all;
Ah! on that tragic scene of grief
Let statutory curtains fall.
Where coffined lies the ancient law
Let the ground be, nor make excuse
For sterilising it for aye,
Lest *Use* should follow on a *Use.*

The Lament Prolonged.

Ancient no longer is *Demesne*;
In vain for *Copyholds* look round,
No *Customary Courts* remain
(Though *Leet* and *Baron* still are found).
Tenant for life now takes the *Fee,*
But first the *Settlement's* trustees
Must vest it in him so that he
May rest securely at his ease.
Now *Mortgagors* a *Lease* convey
Three thousand years, and not the *Fee;*
Three thousand years and ere a day
Goes to the Second Mortgagee.
A third? For years three thousand he
Dominion plus *two* days shall taste
And all these Mortgagees are free
And unimpeachable for waste.
That tenure of the Church is gone
That once as *Frankalmoign* we knew,
We must confess we are astonished: can these things be true?

F. R. Barlee,
Perth, W.A.

POINTS IN PRACTICE.

Questions from Registered Annual Subscribers only are answered, and without charge, on the understanding that neither the Proprietors nor the Editor, nor any member of the Staff, is responsible for the correctness of the replies given or for any steps taken in consequence thereof. All questions must be typewritten (in duplicate), addressed to The Assistant Editor, 29, Breams Buildings, E.C.4, and contain the name and address of the Subscriber. In matters of urgency answers will be forwarded by post if a stamped addressed envelope is enclosed.

Trustees—Appointment in place of one incapable—Investments.

Q. 2007. A and B are trustees of the will of a testator who died in 1894. The trust funds consist of under £1,000 invested in various stocks and shares. One of the trustees, B, is very old and by reason of mental and bodily infirmity is quite incapable of acting in the matter of the trust. A proposes to appoint a new trustee under s. 36 of the Trustee Act, 1925, assuming that B's infirmity renders him incapable of acting within the meaning of the section. The trust funds are such as would not pass by an express or implied vesting declaration, and the question arises how can A transfer the stocks and shares into the names of himself and the new trustee without going to the court. The various companies would, no doubt, require the transfers to be signed by B. No proceedings have been taken in lunacy with regard to B's property. He can execute a transfer, but he probably would not know or could not be made to comprehend the nature of his action.

(i) Does B's condition give rise to the statutory power in A as survivor or continuing trustee to appoint a new trustee in B's place ?

(ii) Can the securities be transferred in any manner without going to the court ?

A. (i) Yes, see *Re Leman's Trusts* (1883), 22 Ch.D. 633, unless B has some beneficial interest (see s. 36 (9)).

(ii) No, only under an order of the Chancery Division or in lunacy, unless B can execute the transfers or a sufficient power of attorney.

First Mortgage of Life Interest in Settled Land—Registration.

Q. 2008. Should a first mortgage in favour of X of a life estate in possession in settled property, which is not vested in trustees upon trust for sale, be registered under s. 97 of the L.P.A., 1925, or otherwise, in a case in which the mortgage does not affect registered land or land in the jurisdiction of a Local Deeds Registry ? But all the previous mortgages, etc., relating to the life estate have been discharged and handed over to X on completion of his mortgage. Would the position be affected if some of the prior mortgages, which have been paid off, had been lost or mislaid prior to the advance by X ?

A. No registration is needed under s. 97 of L.P.A., 1925, seeing that a legal estate is not affected ; nor is it possible to effect registration as a general equitable charge under L.C.A., 1925, s. 10 (1), Class C (iii), seeing that the interest affected by the mortgage arises under the settlement. In our opinion no registration of any kind is either necessary or indeed possible.

Perpetual Debentures—Trust Deed.

Q. 2009. If a company owning freehold and leasehold properties has, prior to 1st January, 1926, charged such properties with the payment of perpetual debenture stock, do the perpetual debenture trustees take a term of years by virtue of the L.P.A., 1925 ? If they do, it would seem to be contrary to the provisions of Pt. VII, para. 8, of 1st Sched. to the Act. If the trustees do not take a term of years, in what manner will they join in a conveyance of part of the mortgaged property on receiving the purchase money ?

A. Until the passing of s. 14 of the Companies Act, 1907, it was considered doubtful whether a perpetual debenture could in fact be created, as in equity the right to redeem is an inseparable incident of a mortgage. Since the passing of that Act a special type of irredeemable mortgage came into existence, a fact which we are inclined to think was overlooked in the drafting of the L.P.A., 1925. We do not think that Pt. VII of Sched. I to L.P.A., 1925, applied. Accordingly the trustees will convey in exactly the same manner as they would have conveyed prior to 1926. We are not able to indicate the exact manner as we do not know the nature of the trust deed. As the point is not free from doubt it would be prudent, if possible, to obtain the concurrence of the company. It might be argued that a perpetual debenture had an equity of redemption, but that by express agreement it could not be exercised, although the argument is admittedly weak.

Mortgage—Release or Discharge—Suppression.

Q. 2010. Will you kindly advise whether it is considered necessary to prepare and present to a client for execution and afterwards stamp formal discharge of mortgage in cases where money is left in the solicitor's hands for investment and same is invested in various sums on mortgages which from time to time are paid off and the money re-invested ? It is thought that in such cases it is not necessary to incur the expense or to trouble the client who has no wish to be troubled and who relies on her solicitor and the latter acts in his fiduciary capacity and remits interest quarterly on the total amount in his hands irrespective of the investments, and that therefore such mortgages could be withdrawn from the title when discharged. The money, when not so invested on mortgage, of course, placed on deposit at the bank.

A. For the purposes of this reply it is assumed that the mortgages referred to are all legal and effected in the name of the client. We do not think that it would be at all proper to withdraw the mortgages from the titles concerned and dispense with the preparation and stamping of formal receipts. We quote the following passage from p. 142 of the Twelfth Edition of "Gibson's Conveyancing" :—

> "But a legal mortgage which has been discharged should "be abstracted although there has been a reconveyance, "for it is not for the vendor to assume that the title has "been re-vested by the reconveyance ; this is a matter upon "which the purchaser is entitled to satisfy himself ; and "this will still be so under the Law of Property Act, 1925."

Mortgage Interest—Altering Dates of Payment by Verbal Arrangement.

Q. 2011. Clients of ours have a number of mortgages in respect of which the interests are payable quarterly on the various dates specified in the deeds. Income tax at the current rate is allowed to the mortgagors upon the interest paid by them. Our clients contemplate making an oral arrangement with all the mortgagors that the dates of payment of interest fixed by the mortgage deeds shall be altered to the 5th days of January, April, July and October respectively, and that the interest accruing due in each case for the quarter beginning before and ending after the 5th April, 1930, shall be apportioned, and only the proportion accrued due up to that date be now paid, and that the next quarter's interest be paid on the 5th July next. Kindly inform us whether, in your opinion, there is any legal obstacle to their doing this, and particularly whether s. 39 of the Finance Act, 1927, forbids an arrangement of the kind contemplated.

A. Although a parol agreement in variation of a deed could not be set up at common law, it could be so in equity, and the rules of equity now prevail subject to this, that if the original

agreement was one required by law to be in writing, the variation must be in writing (see *Morris* v. *Baron* [1918] A.C. 1). The agreement to pay interest not being one necessarily in writing, it can be varied by parol and there is nothing in s. 39 of the Finance Act, 1927, to prevent this. The only difficulty likely to arise is in case the mortgagee at any time wishes to exercise his power of sale or appointment of a receiver by reason of the interest being two months in arrear.

Custody of Will Deeds—Settled Land Mortgaged by Tenant for Life.

Q. 2012. As between (*a*) tenant for life; (*b*) trustees; and (*c*) mortgages of settled land, who is entitled to the custody of the following classes of documents:—

(*a*) Settlements.
(*b*) Appointments of new trustees.
(*c*) Special grants of probate.
(*d*) Vesting deeds.
(*e*) Discharged mortgages.

In the case under notice the mortgage covers the whole property included in the vesting deed.

A. It is assumed the mortgage is made by the tenant for life under his statutory powers. It is considered that the trustees are entitled to the settlement and appointments of new trustees and that, as the mortgage covers the whole land, the mortgagee is entitled to the vesting deed and discharged mortgages. Section 35 (2) of T.A., 1925, implies that the trustees are not the persons to have the vesting deed and the tenant for life could hardly claim to retain it against the mortgagee. The practice with regard to special grant of probate is, it is believed, hardly settled. It is suggested the proper course is to hand it over to the subsequent tenant for life who, in turn, would hand it to his mortgagee, but we hesitate to say that the trustees must give it up.

Obituary.

Mr. ROBERT LAWSON.

One of Cumberland's oldest solicitors, Mr. Robert Lawson, has died at Wigton, in his eighty-third year. He was admitted in 1871 and had been in practice upwards of fifty-nine years, Clerk to the Wigton Burial Board for forty-nine years, and Chairman of the Directors of the Wigton Gas Light and Coke Company Ltd.

Mr. P. B. COOKE.

Mr. Philip Barrett Cooke, solicitor, Gloucester, died there recently at the age of seventy-two. One of the city's senior solicitors, he was Secretary of the Gloucester City Education Committee since its formation in 1903, and was about to retire on pension. Mr. Cooke succeeded his father as secretary to the Gloucester Chamber of Commerce about twenty-four years ago and had held the office up to the date of his death. In 1906 he was appointed Secretary of the Gloucester Pilotage and Harbour Board, whilst he was many years Secretary of the Gloucester Club. In his younger days he was an active member of the Gloucester Rugby Football Club.

Mr. A. H. YEATMAN.

Mr. Archibald H. Yeatman, solicitor, Poole (a member of the firm of Dickinson, Yeatman & Manser, of Poole, Bournemouth and Parkstone), met his death there under tragic circumstances on Monday last. While bathing at the Sandbanks, he was caught among some heavy breakers and disappeared. His body was subsequently recovered. Artificial respiration was applied for over two hours, but without success. He acted for many years as Clerk of the Peace for the borough and town and County of Poole, and was a member of the Law Society.

Notes of Cases.

Court of Appeal.

Weatherhead (Bradford Revenue Officer) *v.* Bradford Assessment Committee and Laycock, Son & Co. Limited.

Scrutton, Greer and Slesser, L.JJ. 11th July.

Rating — De-rating — Industrial Hereditament — Primary Purpose—Wool-sorting—Adapting for Sale —Rating and Valuation (Apportionment) Act, 1928 (18 & 19 Geo. 5, c. 44), s. 3.

Appeal from the Divisional Court.

The appellants, Messrs. Laycock, Son & Co. Limited, were described as top makers and the hereditament in question was occupied and used by them for the purpose of carrying out certain processes necessary for the production of tops. The hereditament comprised offices, sample rooms, wool buyers' rooms, staff dining room, cloak-rooms and canteen, on the ground floor; wool bin rooms for packing sorted wools into sheets ready for despatch to combers, on the first floor; wool sorting rooms, on the second and third floors; wool sorting and transient storing of bales of unsorted wool, assembling sorted wool in sheets ready for despatch, repairing sheets and top bags, transient storing of unsorted and sorted wool, receiving and despatch rooms, garage, in the basements. The stages of the manufacture of the cloth were shearing of fleeces from the sheep, disintegration of fleeces into various constituent qualities of wool, mixing and blending qualities of wool, i.e., matchings, combings and obtaining tops, spinning tops into yarns, weaving yarn into cloth. Wool in the form of fleeces directly from the backs of sheep was imported from various parts of the world and stored at warehouses not included in this case. The fleeces arrived at the hereditament in tightly packed bales and were sent to the various floors according to the current requirements of the appellants' business. The contents of the bales were distributed among the wool sorters who then broke up each fleece into the constituent qualities. The appellants sought to produce certain standard qualities of tops each being distinguished by differences in fineness, tensile strength, softness of handle, and suitability for the special requirements of the textile industry. The sorters were skilled workmen who served a four years' apprenticeship, and it was necessary that they should be able to judge accurately between qualities of wool which in some cases called for a judgment with regard to 1/8400th part of an inch in the thickness of the constituent fibre. The hereditament was registered under the Factory and Workshop Acts, 1901 to 1920. The number of persons employed at the date of the appeal to Quarter Sessions on the hereditament was 131, consisting of seventy-one wool sorters and apprentices, twenty-seven office staff, twenty-six packers, three charwomen and four odd men. The assessment committee and the Recorder of Bradford, on appeal, included the hereditament in the special list for de-rating. The Divisional Court expunged it from the special list on the ground that what was done was merely sorting and not making or adapting an article for sale, and that the primary purpose was wholesale distribution. The occupiers appealed.

The Court of Appeal held that the fact that the process was for the purpose of ultimate wholesale distribution was immaterial. The primary purpose of the hereditament was the factory purpose of making "matchings," a different article from the fleeces out of which matchings were made. The appeal must be allowed and the hereditament restored to the special list. Appeal allowed.

Counsel: *R. M. Montgomery*, K.C., and *C. J. Frankland*; *The Attorney-General* (Sir William Jowitt, K.C.), *Wilfrid Lewis* and *Colin H. Pearson*.

Solicitors: *Blundell, Baker & Co.*, for *Mumfords and Gordons*, Bradford; *The Treasury Solicitor*.

[Reported by T. W. Morgan, Esq., Barrister-at-Law.]

Pickin *v.* Langbaurgh Assessment Committee; Lofthouse *v.* the Same.

Scrutton, Greer and Slesser, L.JJ. 11th July.

RATING—DE-RATING—SCRAP METAL WORKS—ADAPTING FOR MANUFACTURE—USE OF MACHINERY—INDUSTRIAL HEREDITAMENT—FACTORY PURPOSE—RATING AND VALUATION (APPORTIONMENT) ACT, 1928 (18 & 19 Geo. 5, c. 44), s. 3.

Appeal from the Divisional Court.

In these two cases the hereditaments were occupied and used by traders in scrap matal, who bought disused and obsolete machinery, boilers, ships, propellers, and the like, which were largely used, if treated in a particular way, as the raw material for furnaces of iron and steel manufacturers. To be so used, the original metal must be broken up and sorted in pieces suitable for the size of the chargers to the furnaces. That was done by mechanical processes, oxy-acetylene plant, and cranes for dropping heavy weights on the metal to be broken. The assessment committee held that that was a manufacturing process and not distributive wholesale business, and that the hereditaments must be de-rated. The Divisional Court took the view that, as a matter of law, it being a question of degree, it was impossible to say that the quarter sessions were wrong in saying that what was done was the purposes of a factory or workshop. The hereditaments were occupied and used (1) as to 90 per cent. of the metal brought on the premises, for sorting and grading the same, and breaking it up by machinery and so preparing all varieties of scrap iron and steel and adapting it for use as raw material by iron and steel manufacturers in their furnaces, foundries, forges and rolling mills, and as to non-ferrous metals for use in crucibles, and (2) as to an amount not exceeding 10 per cent. of the metal brought on to the premises, for sorting and grading it and separating from it any non-ferrous metals and selling it. A relatively small part of the articles bought as scrap was altered, patched up and reconditioned for use as finished articles. The revenue officer contended that the premises were primarily occupied and used for one or for a combination of the following purposes, i.e.—(*a*) the purposes of storage; (*b*) for purposes of wholesale distributive business; (*c*) for purposes of dealing in scrap metal which were not the purposes of a factory or workshop, and that the premises therefore came within the proviso to s. 3 of the Rating and Valuation (Apportionment) Act, 1928, and were not industrial hereditaments within the meaning of that Act, and were not entitled to be placed on the special list to be de-rated. It was contended, on behalf of the respondent occupiers, that mere scrap dealing could be conducted without using such premises as these; that the primary purpose for which such premises were occupied and used was that of working on iron scrap, such as old railway engines, machinery, dismantled plant, wrecks and so forth, by means of power machinery and so converting it into scrap in a form in which it could be used by manufacturers in their furnaces, and that the adapting of the scrap in that manner was a manufacturing process; that the premises were used for storage only in so far as storage was necessarily incidental to the operations already described; and that the purposes of dealing in scrap metal as the respondents dealt in it were the purposes of a factory or workshop, and that the premises were industrial hereditaments. The Divisional Court decided (affirming Quarter Sessions) that the premises were entitled to be de-rated, the revenue officer appealed in both cases.

THE COURT held that the processes carried on by the respondent occupiers in both cases were manufacturing processes and that the premises were entitled to be de-rated. Appeals dismissed.

COUNSEL: *The Attorney-General* (Sir William Jowitt, K.C.), *Wilfrid Lewis*, and *Colin H. Pearson*; *R. M. Montgomery*, K.C. and *C. Paley Scott*.

SOLICITORS: *The Treasury Solicitor*; *Iliffe, Sweet & Co.*, for *J. W. R. Punch & Robson*, Middlesbrough.

[Reported by T. W. MORGAN, Esq., Barrister-at-Law.]

Societies.

The City of London Solicitors Company.

PRESENTATION OF LOVING CUP.

The Master, Mr. F. M. Guedalla, has presented a silver loving cup to the City of London Solicitors' Company as a souvenir of his year of office. On one side are engraved the Arms of the company, and on the reverse side appears the following inscription: "Presented by the Master, Florance Montefiore Guedalla, to the City of London Solicitors' Company. June, 1930." The Company has also been presented with a silver flagon and two silver cups by Mrs. Holmes in memory of her late husband, Mr. John Camm Holmes, in accordance with a request made by him. Mr. Holmes was one of the founders and a Past Master of the Company.

Legal Notes and News.

Honours and Appointments.

Mr. F. G. EQUER, Assistant Town Clerk of Jarrow, has been appointed Assistant Solicitor in the office of Mr. Stanley Wilson, Town Clerk of the County Borough of Tynemouth.

Mr. JAMES MACGREGOR SLOAN, at present Clerk to Sheriff Mercer, at Glasgow, has been appointed Sheriff-Clerk Depute at Lanarkshire in succession to Mr. John Hamilton, who has been transferred to Ayr.

Mr. T. GRAHAM ROBERTSON, K.C., has accepted the invitation of the Shipyard Employers and the Shipyard Trade Unions to be independent Chairman at National General Conferences under the Conciliatory Machinery Agreements concluded between the Employers and the Trade Unions of the Industry in 1927. Mr. Graham Robertson succeeds Lord Macmillan, who resigned on being appointed a Lord of Appeal.

The Secretary of State for Scotland has appointed Mr. ALEXANDER JOHNSON to be Sheriff-Clerk of Zetland (in room of Mr. A. Sutherland, deceased), and Mr. D. A. ALLAN, Second-depute in Sheriff-Clerk service, Ayr, to be Sheriff-Clerk of Argyl in room of Mr. J. Stewart, deceased.

Sir ARCHIBALD BODKIN, K.C.B., late Director of Public Prosecutions, has been appointed a Justice of the Peace for the County of Devon.

Mr. HAROLD EVANS, Assistant Clerk to the Normanton Urban District Council, has been appointed Clerk to the Northallerton Urban District Council.

Mr. ERIC TOM LAMBERT, B.A., LL.B., Solicitor (of the firm of Knocker, Elwin & Lambert), Dover, has been appointed Clerk to the Dover Rural District Council.

Mr. ROBERT GILROY WINTER, Solicitor, Salcombe (Devon), has been appointed Clerk to the Kingsbridge and Salcombe Water Board.

Wills and Bequests.

Mr. Walter Lauriston Lewis, of 21, Bennett-street, Bath, retired solicitor, left £14,595, with net personalty £12,363.

Mr. Percy Hedley Hall, of Short Furrows, Caterham, and of Messrs. Cooper, Walker & Hall, solicitors, Birchin-lane, E.C., died on 15th July, aged seventy-five, leaving estate of the gross value of £11,897, with net personalty £8,356. He gave £100 to the Caterham Cottage Hospital, £100 between the clerks of his firm who have been employed there for one year, and £50 to his gardener, Lovell.

The Hon. John Rooth, of the Garrick Club, Garrick-street, W.C., and of Dawlish, Devon, Barrister-at-Law, Judge of the Supreme Court of Western Australia, 1906-22, who died on 6th June, aged sixty-six, left unsettled property in England of the gross value of £3,583, with net personalty £3,384.

Mr. James Watson, of Haddington, East Lothian, Solicitor, formerly Procurator-Fiscal for North Berwick, left personal estate of the total value of £49,383.

Major John William Bernard Heslop, of Startforth, Barnard Castle, Yorks, solicitor, who died on 29th June, at Newcastle-on-Tyne, aged sixty-seven, left estate of the gross value of £21,102, with net personalty £12,564.

Mr. William De Gallye Lamotte, of Weardale, Murray-road, Wimbledon, S.W., barrister-at-law, late of the Treasury, who died on 7th August, aged seventy-six, left £13,286, with net personalty £9,962.

THE TRAINING OF LOCAL GOVERNMENT OFFICERS.

In pursuance of a recommendation made in the Final Report of the Royal Commission on Local Government, presided over by Lord Onslow, the Minister of Health has appointed a Departmental Committee with the following terms of reference—

"to inquire into and make recommendations on the qualifications, recruitment, training and promotion of Local Government Officers."

The Committee has been constituted as follows:—

Chairman: Sir Henry Hadow, C.B.E., J.P.; Members: Sir Percival Bower, M.B.E., J.P., Mr. H. Darlow, Mr. C. A. Elgood, J.P., Mr. I. G. Gibbon, C.B.E., Mr. H. M. Gibson, M.P., Sir Edward Holland, D.L., J.P., Mr. Percy Hurd, M.P., Alderman William Jenkins, M.P., Professor H. J. Laski, Lieut.-Col. Sir Cecil B. Levita, C.B.E., M.V.O., D.L., J.P. (L.C.C.), Mr. Frank Pick, Mr. George Riddle, Mrs. Eleanor Thompson.

The Secretary of the Committee will be Miss E. Sharp, Ministry of Health, Whitehall, S.W., to whom all communications on the subject should be addressed.

HIRE PURCHASE IN SCOTLAND.

Giving evidence before the Committee appointed by the Secretary for Scotland to inquire into the existing law relating to hire purchase contracts in Scotland recently, and the sanction of imprisonment for defaulters, Mr. M. Millar Craig, legal secretary to the Lord Advocate, referred to the number of persons imprisoned in Scotland at the instance of hire-purchase firms in 1920. He said it seemed only reasonable to suppose that in the large majority of the cases the decree on which imprisonment followed was pronounced in absence and in ignorance of the fact that compliance was impossible, and that if the action had been defended no decree on which imprisonment could have followed would have been pronounced.

SOLICITOR OF 77 FOR TRIAL.

William Anderson, seventy-seven, solicitor, was charged at Sunderland Police Court on Wednesday with feloniously uttering forged documents with intent to defraud. He pleaded guilty, and was committed for trial at the next Durham Assizes.

STREET OBSTRUCTION BY CARS.

In future, constables on street duty in Newcastle-on-Tyne will, says *The Times*, carry a book of tear-out warnings, and whenever a constable sees an unoccupied car which he considers has been standing longer than is necessary, he will fill in the slip with his own police number, the number of the car, the time and date, and affix it to the car. On the back of the slip will be a list of authorised parking places.

INCORPORATED ACCOUNTANTS' EXAMINATIONS.

The next examination of candidates for admission to the Society of Incorporated Accountants and Auditors will be held on 3rd, 4th, 5th and 6th November, in London, Manchester, Cardiff, Leeds, Glasgow, Dublin, Belfast, Cape Town, Johannesburg and Durban.

Women are eligible under the Society's regulations to qualify as Incorporated Accountants upon the same terms and conditions as are applicable to men.

Particulars and forms are obtainable at the offices of the Society, Incorporated Accountants' Hall, Victoria Embankment, W.C.2.

IRISH FREE STATE.

Removal of Offices.

The offices of the High Commissioner of the Irish Free State have been moved from York House, 15, Regent-street, to 33, 35, 37, Regent-street, W.1; Telephone, Regent 6755.

CHANCELLOR OF CARLISLE DIOCESE.

The Bishop of Carlisle has appointed Mr. Harry Bevir Vaissy, K.C., of New-square, Lincoln's Inn, to be Chancellor of the Diocese of Carlisle in succession to the late Chancellor Campbell.

Mr. Vaissy was educated at Shrewsbury School and Hertford College, Oxford, where he obtained a First in Moderations. He was called to the Bar at Lincoln's Inn in 1901 and took silk four years later. He is also Chancellor of the Dioceses of Derby and Wakefield.

Stock Exchange Prices of certain Trustee Securities.

Bank Rate (1st May, 1930) 3%. Next London Stock Exchange Settlement Thursday, 25th September, 1930.

	Middle Price 17th Sep. 1930.	Flat Interest Yield.	Approximate Yield with redemption.
English Government Securities.		£ s. d.	£ s. d.
Consols 4% 1957 or after	88¼	4 10 8	—
Consols 2½%	55½	4 10 6	—
War Loan 5% 1929-47	104	4 16 2	—
War Loan 4½% 1925-45	100½	4 9 7	4 9 0
War Loan 4% (Tax free) 1929-42	100½xd	3 19 7	3 19 0
Funding 4% Loan 1960-90	92	4 7 0	4 7 6
Victory 4% Loan (Available for Estate Duty at par) Average life 35 years	95	4 4 3	4 5 6
Conversion 5% Loan 1944-64	105½	4 15 0	4 13 9
Conversion 4½% Loan 1940-44	100	4 10 0	4 10 0
Conversion 3½% Loan 1961	78	4 9 9	—
Local Loans 3% Stock 1912 or after	64½	4 13 0	—
Bank Stock	263½	4 11 1	—
India 4½% 1950-55	87	5 3 6	5 9 6
India 3½%	63	5 11 1	—
India 3%	54	5 11 1	—
Sudan 4½% 1939-73	95	4 14 9	4 15 6
Sudan 4% 1974	87	4 12 0	4 14 3
Transvaal Government 3% 1923-53 (Guaranteed by British Government, Estimated life 15 years.)	84½	3 11 0	4 1 0
Colonial Securities.			
Canada 3% 1938	91	3 5 11	4 6 0
Cape of Good Hope 4% 1916-36	95xd	4 4 3	4 19 0
Cape of Good Hope 3½% 1929-49	84	4 3 4	4 15 6
Ceylon 5% 1960-70	102	4 18 0	4 17 9
Commonwealth of Australia 5% 1945-75	87	5 14 11	5 16 3
Gold Coast 4½% 1956	94	4 15 9	4 19 0
Jamaica 4½% 1941-71	93xd	4 16 9	4 18 0
Natal 4% 1937	95	4 4 3	4 18 0
New South Wales 4½% 1935-45	80½	5 11 10	6 12 6
New South Wales 5% 1945-65	84¼	5 18 4	6 1 9
New Zealand 4½% 1945	96	4 13 9	4 17 6
New Zealand 5% 1946	102	4 18 0	4 16 3
Nigeria 5% 1950-60	103	4 17 1	4 18 3
Queensland 5% 1940-60	86½	5 15 7	5 19 9
South Africa 5% 1945-75	102	4 18 0	4 17 9
South Australia 5% 1945-75	86	5 16 3	5 17 6
Tasmania 5% 1945-75	90½	5 10 6	5 11 3
Victoria 5% 1945-75	86½	5 15 7	5 17 3
West Australia 5% 1945-75	87½	5 14 3	5 15 3
Corporation Stocks.			
Birmingham 3% on or after 1947 or at option of Corporation	63	4 15 3	—
Birmingham 5% 1946-56	103	4 17 1	4 16 0
Cardiff 5% 1945-65	101	4 19 0	4 19 3
Croydon 3% 1940-60	71	4 4 6	4 17 3
Hastings 5% 1947-67 (First full half year's Dividend in October, 1930.)	102	4 18 0	4 17 6
Hull 3½% 1925-55	79	4 8 7	4 19 6
Liverpool 3½% Redeemable by agreement with holders or by purchase	75	4 13 4	—
London City 2½% Consolidated Stock after 1920 at option of Corporation	53	4 14 4	—
London City 3% Consolidated Stock after 1920 at option of Corporation	64	4 13 9	—
Manchester 3% on or after 1941	63	4 15 3	—
Metropolitan Water Board 3% "A" 1963-2003	66	4 10 11	—
Metropolitan Water Board 3% "B" 1934-2003	67	4 9 7	—
Middlesex C.C. 3½% 1927-47	85	4 2 4	4 16 0
Newcastle 3½% Irredeemable	73	4 15 11	—
Nottingham 3% Irredeemable	64	4 13 9	—
Stockton 5% 1946-66	101	4 19 0	4 18 9
Wolverhampton 5% 1946-56	102	4 18 0	4 17 3
English Railway Prior Charges.			
Gt. Western Rly. 4% Debenture	82	4 17 7	—
Gt. Western Rly. 5% Rent Charge	100	5 0 0	—
Gt. Western Rly. 5% Preference	93	5 7 6	—
L. & N.E. Rly. 4% Debenture	75½	5 6 0	—
L. & N.E. Rly. 4% 1st Guaranteed	71	5 12 8	—
L. & N.E. Rly. 4% 1st Preference	56	7 2 10	—
L. Mid. & Scot. Rly. 4% Debenture	80	5 0 0	—
L. Mid. & Scot. Rly. 4% Guaranteed	75½	5 6 0	—
L. Mid. & Scot. Rly. 4% Preference	62	6 9 1	—
Southern Railway 4% Debenture	81	4 18 9	—
Southern Railway 5% Guaranteed	97½	5 2 7	—
Southern Railway 5% Preference	85	5 17 8	—

VALUATIONS FOR INSURANCE. It is very essential that all Policy Holders should have a detailed valuation of their effects. Property is frequently very inadequately insured, and in case of loss insurers suffer accordingly. **DEBENHAM STORR & SONS (LIMITED)**, 26, King Street, Covent Garden, W.C.2, the well-known chattel valuers and auctioneers (established over 100 years), have a staff of expert valuers and will be glad to advise those desiring valuations for any purpose. Jewels, plate, furs, furniture, works of art, bric-a-brac, a speciality 'Phones: Temple Bar 1181-2.

EX-OFFICERS AND OTHER RANKS.

THE Proprietors of The Solicitors' Journal have placed this space at the disposal of THE BRITISH LEGION OFFICERS' ASSOCIATION, EMPLOYMENT BUREAU. 3-4, Clement's Inn, Strand, London, W.C.2 (Telephone Holborn 5769), to whom all replies should be addressed, quoting number of advertisement, date of insertion and the name of this paper.

HOTEL Broker and Valuer, 38, considerable experience in stocktaking, inventories and valuations, requires appointment. Excellent references. Dis. 339

EX-RANKER Officer, smart appearance, very active, age 48, seeks employment as commissionaire, caretaker, messenger, timekeeper, watchman, or any post of trust. Excellent references. Last post 8½ years. 12275

DISABLED Officer, middle-aged, desires post as companion secretary. Drives car; good horseman; various times acted as secretary county, golf, cricket, tennis and football clubs. Dis. 63

RETIRED Regular Officer, possessing character, personality and initiative, seeks secretarial employment, golf, social or sports club, management first-class country hotel or estate. Fully experienced; highest credentials; tall; good address. Widely travelled. 8240

ASSISTANT Paymaster, late R.N.R., 30 years' experience fruit growing; knowledge of pumps and motors; or as companion. 12284

ACCOUNTANCY, Banking, etc., age 38, 12 years' service institutions home and abroad; three years' experience tutor financial subjects; excellent knowledge accountancy, banking, commercial law, French and Spanish; first-class certificates and testimonials. Dis. 71

ARTICLED CLERKS, &c.

SOLICITOR has vacancy for Articled Clerk; general practice; premium required, part returned. —Write Box 548, Solicitors' Journal, 29, Breams-buildings, E.C.4.

LONDON Solicitor has vacancy for Articled Pupil; personal supervision; good prospects; premium; preference for public school boy.—Write Box 547, Solicitors' Journal, 29, Breams-buildings, E.C.4.

LONDON Solicitor has vacancy for Articled pupil; personal supervision; good prospects; premium; preference for public school boy.—Write Box 538, Solicitors' Journal, 29, Breams-buildings, E.C.4.

CONVEYANCING firm in Midlands have vacancy for articled clerk. Premium secondary consideration; hard worker essential.—Box 534, Solicitors' Journal 29, Breams-buildings, E.C.4.

VACANCY in newly established Manchester office for energetic articled clerk; personal supervision and tuition assured; premium essential.—Box 314, Solicitors' Journal, 29, Breams-buildings, E.C.4.

SOLICITOR, with busy and growing general practice, has vacancy for Articled Clerk. Personal supervision. Premium required, part returned.—Apply, Box 146, Solicitors' Journal, 29 Breams-buildings, E.C.4.

SOLICITOR, general practice and clerk to local authority in growing South Coast town, has vacancy for articled clerk. Public school man preferred. Good prospects for suitable man used to country life.—Box No. 87, Solicitors' Journal, 29, Breams-bldgs., E.C.4.

PRACTICES AND PARTNERSHIPS.

CONVEYANCING.—Solicitor (M.A. Cantab.), 20 years London practice, will take, upon terms, conveyancing clientele (or part thereof) of a deceased or retiring solicitor.—Box 523, Solicitor's Journal, 29, Breams-buildings, E.C.4.

SOLICITOR desires to purchase old-established general and conveyancing practice in or near London showing substantial profits; or early succession.—Box 99, Solicitors' Journal, 29, Breams-buildings, E.C.4.

SOLICITOR (35), M.A., Oxon, Commissioner for Oaths, desires partnership in old-established Conveyancing and General Country Practice; preferably in Chester or neighbouring counties. Wide experience in conveyancing, trust and family business and general practice. Able to introduce business; necessary capital available.—Box 246, Solicitors' Journal, 29, Breams-buildings, E.C.4.

SOLICITOR, practising own account, desires to purchase established progressive Conveyancing and General Practice producing average net profit £1,000 per annum in London.—Box 124, Solicitors' Journal, 29 Breams-buildings, E.C.4.

OFFICES.

ADJACENT Law Courts.—Offices available, Principal's room, with use of clerk's office and waiting room connecting. Very convenient and in much sought-after position.—Box 551, Solicitors' Journal, 29, Breams-buildings, E.C.4.

NEAR Lincoln's Inn Fields.—Large, airy, well-lighted office, with smaller connecting office, —Box 529, Solicitors' Journal, 29, Breams-buildings. E.C.4.

TO the Legal Profession.—Commanding compact and self-contained ground floor and basement occupying an important corner position in a renowned thoroughfare, W.C.1. Rent £1,000 per annum inclusive. No premium.—Apply Messrs. Knight, Frank & Rutley, 20, Hanover-square, W.1. (19091).

INVESTMENTS.

FREEHOLD Premises, East London, let to Midland Bank at £250 per annum exclusive, shows 7½ per cent. Price £3,400.—Chamberlain & Willows 23, Moorgate, E.C.2.

DILAPIDATIONS.

EXPERIENCED Dilapidation Surveyor undertakes the preparation and supervision of schedules, London or country.—Box 543, Solicitors' Journal, 29, Breams-buildings, E.C.4.

WANTED TO PURCHASE.

WANTED to Purchase, a Residential and agricultural estate up to 6000 acres within three hours of London, but the house must not be close to a main road.—Particulars to be sent to Messrs. Knight, Frank & Rutley, 20, Hanover-square, London, W.1.

"The Recognised Organ of the Legal Profession."

THE SOLICITORS' JOURNAL

ESTABLISHED 1857.

PERMANENT FEATURES:

CURRENT TOPICS.—Discussing the legal aspect of matters of interest to all Lawyers, Accountants, Bankers, Surveyors, Estate Agents, Auctioneers, etc., etc.

A CONVEYANCER'S DIARY.—Being a review of points under the Law of Property Acts, etc.

LANDLORD AND TENANT NOTEBOOK.—Explaining points under the Rent Restriction Acts, the Landlord and Tenant Act, 1927, and on the Law of Landlord and Tenant generally.

THE COMPANIES ACT, 1929.—Practice Notes, invaluable to Solicitors, Accountants, Company Secretaries, etc.

CRIMINAL LAW AND PRACTICE.—Notes by eminent Criminal Lawyers.

POINTS IN PRACTICE.—Submitted by Registered Subscribers, answered by Specialists. Urgent replies promptly sent by post.

NOTES ON THE LATEST LEGAL DECISIONS.

COUNTY COURT LETTER.—Of importance to County Court Practitioners.

LEGAL PARABLES.—Presenting the humorous side of the law.

INCLUSIVE ANNUAL SUBSCRIPTION: £2 12s. 0d.

For SPECIMEN COPY apply:
THE ASSISTANT EDITOR, "THE SOLICITORS' JOURNAL,"
29, BREAMS BUILDINGS, E.C.4. (Telephone: HOLBORN 1853.)

FIELD & SONS,

(Established over 100 years).

CHARTERED SURVEYORS,
AUCTIONEERS, VALUERS,
LAND & ESTATE AGENTS.

AUCTION SALES at the MART MONTHLY.

OFFICES:
54, BOROUGH HIGH ST., LONDON BRIDGE, S.E.1.
PALACE CHAMBERS, WESTMINSTER, S.W.1.

LODINGTONS

15, STRAND, W.C.2.

RENT COLLECTIONS A SPECIALITY.

EXCEPTIONALLY LOW CHARGES. PROMPT SETTLEMENTS.
BANKERS: MIDLAND BANK. WRITE FOR TERMS.

To Solicitors, Trustees and Executors.

DEBENHAM, STORR & SONS, LTD.

AUCTION ROOMS.

(ESTABLISHED 1813.)

Auctioneers and Valuers of all Classes of Property.

For the Sale of Jewellery, Antique and Modern Silver, Curios, Furniture, China, Choice Furs, Works of Art, etc.

Valuations made in Town and Country for all purposes.

APPLY:

26, King St., Covent Garden, London, W.C.

Phone: Temp. Bar 1181. Telegrams: "Viewing, London."

Telephone: HOLBORN 584 (3 lines).

WEATHERALL & GREEN

Surveyors, Valuers, Auctioneers, and Estate Agents,

22, CHANCERY LANE, W.C.2.

SALES BY AUCTION.

VALUERS FOR ESTATE DUTY OF REAL ESTATE AND FURNITURE.

RATING SURVEYORS. COMPENSATION VALUERS.
VALUERS OF LICENSED PROPERTY.

PERIODICAL SALES.
ESTABLISHED 1843.

H. E. FOSTER & CRANFIELD

conduct PERIODICAL SALES of
REVERSIONS (Absolute and Contingent),
LIFE INTERESTS and ANNUITIES,
LIFE POLICIES,
Shares and Debentures,
Mortgage Debts and Bonds, and
Kindred Interests,
on the FIRST and THIRD THURSDAYS in each month throughout the year, at THE LONDON AUCTION MART, 155, Queen Victoria-street, E.C.4.

Offices: 6, Poultry, London, E.C.2. Telegrams: "Invariably, Stock, London." Tel. No. City 1296 (3 lines).

PERIODICAL PROPERTY AUCTIONS.

H. E. FOSTER & CRANFIELD

beg to announce that their PROPERTY AUCTIONS will be held at THE LONDON AUCTION MART, 155, Queen Victoria-street, E.C.4.

Vendors, solicitors and trustees having properties for sale are respectfully invited to communicate with the Auctioneers, at their Offices, 6, Poultry, London, E.C.2, Telegrams: "Invariably, Stock, London." Tel. No. City 1296 (3 lines).

ESTABLISHED 1852.

DRIVERS & NORRIS,

F.A.I.,

AUCTIONEERS, VALUERS,
SURVEYORS, HOUSE, ESTATE
AND FACTORY AGENTS.

407, HOLLOWAY RD., N.7.

Telegrams: "DRIVERS, HOLLOWAY." 'Phones: NORTH 1503, 1504 & 1131.

PECKHAM.

By order of Trustees.

STIMSON & SONS

will SELL by AUCTION at the LONDON AUCTION MART, 155, Queen Victoria-street, E.C., on THURSDAY, 25th SEPTEMBER, at 2.30 o'clock, FOUR FREEHOLD RESIDENCES, 29, 31, 33 and 35, ST. MARY'S-ROAD, Queen's-road. No. 33 let at low rent of £48 per annum, the others subject to leases expiring 25th March, 1933, at £7 10s. each, with Reversion to Rack Rents of £275 per annum.

Particulars of the Solicitors, Messrs. Lindsey, Greenfield and Masons, 36 and 37, King-street, Cheapside, E.C.2, and of STIMSON & SONS, 25, Ironmonger-lane, E.C.2, and 12, New Kent-road, S.E.1.

AUCTIONEERS, SURVEYORS and ESTATE AGENTS.

BEST POSITIONS IN ALL DISTRICTS SHOPS

Telephones: REGENT 6831 REGENT 6832

ARNOLD PHILLIPS & CO.

have reserved certain dates for SALES by AUCTION in London. Vendors, Solicitors and Trustees having Properties for sale are respectfully invited to communicate with the Auctioneers at their Offices:

151, CHARING CROSS ROAD, W.C.2.

KNIGHT FRANK & RUTLEY'S SALE ROOMS

FOR

JEWELS, FAMILY PLATE, PICTURES, FURNITURE, CHINA,

And all classes of Valuable Property.

SALES IN COUNTRY HOUSES. FIRE VALUATIONS.

Special Estate Rooms for Auctions of Real Property and Investments.

20, HANOVER SQUARE, LONDON, W.1.

H. J. BLISS & SONS

MONTHLY SALES at THE AUCTION MART.

Special attention also given to

Valuations; Specifications; Dilapidations; Management of House Property; Compensation Claims; Sale by Private Treaty.

106, Cheapside, E.C.2 & 164, Bethnal Green Rd., E.2.

SALTER, REX & CO.

Chartered Surveyors, Auctioneers & Valuers

311, KENTISH TOWN ROAD, N.W.5, and 121, CHEAPSIDE, E.C.2.

Telephones—HAMPSTEAD 4042 and CITY 8394.

UNIVERSALLY APPROVED

Governments, statesmen, leaders in every walk of life endorse the work of

The SALVATION ARMY

SOLICITORS and others entrusted with the distribution of charitable funds will find it

A WORTHY OBJECT FOR LEGACIES

Contributions gratefully acknowledged by GENERAL HIGGINS, 101, Queen Victoria Street, London, E.C.4.

Annual Reports and full information gladly supplied.

Protect the Child

Over 3½ million Defenceless Little Ones have been benefited by the

NATIONAL SOCIETY FOR PREVENTION OF CRUELTY TO CHILDREN.

259 Inspectors are at work throughout England, Wales and Ireland. A Remembrance of the Claims of the Children is earnestly sought when preparing Charitable Bequests.

Legacies

are a Valuable Help.

Full report on application to
WILLIAM J. ELLIOTT, Director,
VICTORY HOUSE, LEICESTER SQUARE, W.C.2.

The National Hospital, Queen Square, W.C.1.

For the Relief and Cure of Diseases of the Nervous System, including Paralysis and Epilepsy.

LEGACIES

ARE A VALUED HELP.

THE EARL OF HARROWBY, Treasurer.

Printed by THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., at "Oyez" House, Fetter Lane, London, E.C.4, and Published at 29, Breams Buildings, E.C.4 ('Phone: Holborn 1853)
Agents—The United States and Canada; The Carswell Co., Ltd., 145–149, Adelaide Street West, Toronto 2, Canada; India: Higginbothams, Publishers, Mount Road, Madras
Australia and New Zealand: "The Times," 255a, George Street, Sydney, N.S.W. Saturday, September 20th, 1930.